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ROYAL COMMISSION

ON

21
PILOTAGE

HEARINGS

HELD AT
ON BOARD
C.D. HOWE
BATE COMEAU

4
VOLUME No.: 1 (CDH)

DATE:

May 18, 1963

OFFICIAL REPORTERS
ANGUS, STONEHOUSE & CO. LTD.
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C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.

Commissaires:

ROBERT KNOWLTON SMITH, Esq.,
HAROLD ALEXANDER RENWICK, Esq.,
Me MAURICE JACQUES, procureur

A BORD DU S.S. C.D. HOWE, Baie Comeau,
8:30 heures P.M.

Le dix-huitième jour de mai, l'an mil
neuf cent soixante et trois:

LE PRESIDENT:

Messieurs, ça nous fait plaisir, à la
Commission Royale d'Enquête sur le Pilotage, de venir
siéger ici à Baie Comeau.

Malheureusement, comme vous savez, nous
avons beaucoup à faire. Notre tâche s'étend à tout le pays,
et comme nous voulons voir un peu partout et donner une
chance un peu à tout le monde de dire un mot, c'est pour ça
que nous avons dû emprunter ce bateau et nous arrêter comme



Enquête

- 2 -

ça à peu près à tous les ports, et nous ne pouvons pas, nécessairement, donner grand temps où nous allons.

Alors, tout de même, j'espère que vous aurez toute l'opportunité de dire ce que vous voulez nous dire, et si pour une raison ou pour une autre vous vouliez nous rencontrer plus tard, il y aura les séances pour le St-Laurent à Montréal à partir du vingt-cinq (25) juin, nous siégerons trois semaines à partir du vingt-cinq (25) juin à Montréal pour le St-Laurent; une semaine plus tard, nous siégerons à Québec, et après ça, nous irons à Chicoutimi.

Plus tard, nous retournerons à Montréal pour terminer, et enfin, si vous n'avez pas encore eu l'opportunité, ou s'il y a autre chose, nous aurons des séances spéciales à Ottawa, et un avis sera envoyé à tous ceux qui sont concernés. Vous pourrez venir à Ottawa, ce sera probablement à la fin de décembre, et nous entendrons là les représentations de tout le monde à travers le pays.

Vous savez ce que nous avons fait: Nous avons siégé dans le début de février - je parle seulement des séances en dehors d'Ottawa; avant ça, nous avons siégé dans Ottawa, nous avons eu des séances d'administration, des séances préparatoires, et en février nous avons commencé à siéger dans les Maritimes. Nous sommes allés à Charlottetown, St-Jean.



Enquête

- 3 -

Après ça, nous avons fait la côte du Pacifique de Prince-Rupert à Victoria, nous avons siégé sur toute la côte, et, il y a un mois, nous étions à Terre-Neuve, nous avons été quinze jours à Terre-Neuve, et maintenant, nous faisons le nord du St-Laurent.

Nous ferons la Baie des Chaleurs au cours de la semaine, et nous ferons aussi la Côte du Nouveau-Brunswick, et mardi, dans une dizaine de jours, nous siégerons à Halifax pour continuer la semaine suivante à North Sydney.

Ceci est notre programme.

Maintenant, vous pouvez vous demander qu'est-ce qu'on cherche exactement. Vous avez vu nos termes, notre mandat. Les termes de notre mandat sont très larges et vagues. Nous sommes obligés de définir qu'est-ce que c'est que le pilotage au Canada.

C'est pour ça que nous allons de place en place, parce que le pilotage est plus vieux même que les institutions de notre pays. Le pilotage est né des besoins de chaque endroit, de telle façon qu'il y a autant de systèmes de pilotage qu'il y a d'endroits de pilotage. Il y a différents systèmes aussi de pilotage: Le pilotage côtier n'est pas le même que le pilotage de rivière, et le pilotage de rivière n'est pas le même que le pilotage des ports.



Enquête

- 4 -

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4
5 Alors, ce sont toutes des choses différen-
6 tes, et c'est ce que l'on cherche à trouver.

7 Plus tard, le gouvernement qui nous a
8 nommés nous a demandé de trouver les dénomminateurs communs
9 de tout ça, et d'essayer de faire une synthèse et de sou-
10 mettre des recommandations.

11 Alors, nous sommes ici pour trouver des
12 faits, comme on dit en anglais, nous sommes " a fact finding
13 body".

14
15 Alors, nous sommes ici pour trouver des
16 faits, d'abord parce qu'il serait inutile de faire des re-
17 commandations si nous n'avions pas de faits. Il faut que ce
18 soit basé sur quelque chose de concret, quelque chose de
19 pratique. Alors, nous sommes venus ici pour apprendre les
20 faits des gens qui les connaissent, et les gens qui les
21 connaissent, ces faits, c'est vous, et nous comptons
22 grandement sur vous pour nous dire ce que c'est que le
23 pilotage chez-vous.

24 Nous comprenons ici qu'il ne s'agit pas
25 d'un pilotage organisé par le Département du Transport,
26 mais tout de même, il s'agit d'un pilotage, et nous aime-
27 rions savoir les besoins, parce que ça existe, et si c'est
28 un système qui marche bien, si c'est préférable à d'autres,
29 etc.
30



Enquête

- 5 -

Alors, messieurs, toute aide que vous
pourrez nous donner sera évidemment bienvenue.

Je, soussigné, sténographe officiel,
étant dûment assermenté, certifie par
les présentes que le texte ci-dessus est
la transcription exacte et fidèle de
mes notes sténographiques.

G. OSCAR BOISJOLY
Sténographe Officiel.



C A N A D A

ANGUS, STONEHOUSE & CO. LTD.

TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau.

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

THE PRESIDENT:

Gentlemen, we are here, as you know, as
a fact finding body on pilotage. We are here to find facts as to
pilotage around here.

As you know, we have been appointed on
this commission to define what pilotage is across Canada.

Pilotage is older than our political
institutions. It was born out of a need, and therefore prior to
any real organization, and we find different patterns everywhere we
go, and that is why we have been sent around, in order to find out
what it is and in order to try and extract some general idea or
governing idea on pilotage.

We have been across the country, so far,
from the east coast to the west coast. We started in March, our
public meetings were held in Charlottetown and St. John, New
Brunswick. Then, we moved to the west coast, from Prince-Rupert to
Victoria. Then, we proceeded to Newfoundland where we spent fifteen
days - I would say: difficult days.



Inquiry

- 7 -

1
2
3 In any event, we went all around to
4 try to find very interesting things there.

5 We are here doing the St. Lawrence
6 North Shore. We will be next week in the Baie des Chaleurs, and
7 the New-Brunswick coast, and we will proceed from there to Halifax
8 where we will be sitting ten days, and the week after, we will be
9 sitting in north Sidney.

10 Then, on the twenty-fifth of June, we
11 will be sitting in Montreal for three weeks, then we will proceed
12 to Quebec and Chicoutimi, and then, a little later on, we will be,
13 at a date that has not been set, we will return to Montreal to
14 finish Montreal, and after that, we will proceed to Toronto for
15 the Seaway and the Great Lakes.

16 So, you see, it is quite an extensive
17 inquiry we are making, and we thought that the best way to find the
18 facts would be to get to the places where the facts are, and visit
19 the people who know the facts, to tell us what they are, and we
20 expect you to help us, because you are the only ones who could give
21 us those facts.

22 Now, of course, we don't expect here to
23 know everything, what pilotage is here, because we have only a very
24 short visit, but this part of our inquiry is also going to be carried
25 out in Montreal, and should anyone of you think that he might be
26 interested to be heard, he may write to us, and send us a letter or
27 you may come to Montreal or Quebec where we will sit, and you will
28 be welcome.

29

30



Inquiry

- 8 -

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3 We will also have formal hearings in
Ottawa, sometime maybe in December. Notices will be sent to all
concerned about those formal hearings. So, if you wish to come
to those sittings, you will be quite welcome, and if you are
willing to add facts for the Commission, we will be pleased to
hear your suggestions and any further recommendations you wish
to make.

10 Then, after that, of course, our task
will not be finished; then it will start for us because it will
be the study and the advisement, and then, we hope to be able to
make our report sometime in the Spring.

14 Now, I will ask Counsel for the
Commission to start the evidence.

16
17
18 I, the undersigned, Court Reporter,
19 hereby certify that the above is a
20 true transcript of my shorthand notes.
21

22
23 G. OSCAR BOISJOLY,
Court Reporter.
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C A N A D A

COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.

Commissaires:

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HAROLD ALEXANDER REWICK, Esq.,
Me MAURICE JACQUES, procureur

A BORD DU S.S. C.D. HOWE, Baie Comeau,
8:30 heures P.M.

Le dix-huitième jour de mai, l'an mil
neuf cent soixante et trois, a comparu comme témoin:

LEOPOLD AMYOT, maître de havre, âgé de
34 ans, lequel étant dûment assermenté sur les Saints-
Evangiles, dépose et dit ce qui suit:

Me MAURICE JACQUES,

Procureur:

I might say that we are not a Commission
pointed by the Departement of Transport,
we have no connection whatsoever with the
Department of Transport; we answer to the
Governor General in Council.



L. AMYOT
Enquête
EX. - 10

INTERROGE par Me MAURICE JACQUES,
Procureur;

Q Depuis quand êtes-vous maître de havre?

R Depuis septembre mil neuf cent soixante-
deux (1962).

Q Est-ce que le pilotage existait à ce
moment-là?

R Oui monsieur.

Q Pouvez-vous à l'aide de cartes qui seront
produites - I would like to file chart 25, Pointe des
Monts to Saguenay River as 289; and chart 1217, Pointe des
Monts as exhibit 290.

Monsieur Amyot, je vous exhibe la pièce
290, soit un plan de Baie Comeau?

R Oui.

Q Pouvez-vous, sur ce plan-là, indiquer
les principaux quais qui servent au trafic maritime?

R Est-ce que vous pourriez m'indiquer:
290?

Q Ici.

R Ca ici.

Q Vous avez combien de quais, ici, à
Baie-Comeau?

R Six quais.

Q Six quais?

R Oui.



L. AMYOT
Enquête
EX. - 11

- 1
- 2
- 3
- 4 Q Quel genre de quais?
- 5 R Deux quais publics et quatre quais privés.
- 6 Q Deux quais publics et quatre quais privés?
- 7 R Oui.
- 8 Q Quel genre de navires ces quais-là
- 9 peuvent-ils accommoder?
- 10 R Pour la plupart, sauf le petit quai
- 11 qui est ici, qui est surtout employé par la Clarke Steamship,
- 12 et le Père Nouvel, c'est des bateaux de dimensions moyennes ,
- 13 mais les autres peuvent accommoder des bateaux de tonnage
- 14 assez élevé.
- 15 Q Depuis combien d'années est-ce construit?
- 16 R Le premier quai remonte à mil neuf cent
- 17 trente-sept (1937), celui où on est présentement, ici.
- 18 C'est le seul, à venir jusqu'en mil neuf cent cinquante-
- 19 sept (1957), je crois, où on a bâti une annexe; et les
- 20 autres quais sont venus à peu près vers le même temps:
- 21 C.B.A. et Cargill.
- 22 Q Dans vos fonctions, est-ce que vous
- 23 avez quoi que ce soit à faire avec les quais privés?
- 24 R Oui, tous les quais, tous les bateaux.
- 25 Q Tous les quais et tous les bateaux?
- 26 R Tous les quais et tous les bateaux.
- 27 Q Pouvez-vous décrire ce que vous faites
- 28 comme maître de havre?
- 29 R Ma principale fonction: Je collecte
- 30



L. AMYOT
Enquête
EX. - 12

des "dues" pour le gouvernement, dans le même genre que ce qu'on appelle en anglais les " sick marine dues "; nous autres, c'est les " harbour dues " qui sont basés sur le tonnage net de chaque navire. Ces droits sont payables deux fois par année.

Q A quel prix?

R Pour un navire venant d'une zone de l'Amérique du Nord ou du Commonwealth, le tonnage est de trois cents (0.03¢) la tonne net, et pour les bateaux venant de ports en dehors de cette zone-là, c'est cinq cents (0.05¢) la tonne. Ces droits, sont payables deux fois par année.

Q Maintenant, quant aux quais, qu'est-ce que vous faites?

R Je vous ferai remarquer que je ne suis pas gardien de quais. Il y a deux fonctions: Il y a un gardien de quais et un maître de havre. Ce sont deux affaires différentes.

Q Alors, vous n'avez rien à faire avec les quais?

R Indirectement. Je pourrais avoir affaire s'il y avait lieu de déplacer un bateau ancré au quai de Cargill ou de C.B.A., qui n'a pas d'affaire là, c'est ma responsabilité de faire respecter l'ordre dans ce sens-là.

Q C'est vous qui assignez les endroits où les navires doivent accoster?



L. AMYOT
Enquête
EX. - 13

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4 R Je n'ai jamais eu à en assigner, parce
5 que tous les gens savent où ils doivent aller. Mais si par
6 malheur un petit bateau allait au quai de Cargill ou de
7 C.B.A., s'il n'est pas au courant, je sais que monsieur
8 Cummings ou monsieur Harrison me téléphoneraient et me
9 diraient: Il n'a pas d'affaire chez-nous, c'est un quai
10 privé.

11
12 C'est la distinction qu'il faut faire
13 entre les deux quais publics, celui-ci et le petit embran-
14 chement de l'autre côté, et les quatre quais privés.

15 Q Dans vos fonctions, est-ce que vous
16 avez à communiquer avec les pilotes?

17 R Ah, très rarement.

18 Q Quand vous communiquez avec eux,
19 de quoi est-il question?

20 R Ah, il est question de choses qui sont
21 plutôt secondaires dans le sens de l'arrivée et le départ
22 des bateaux, pour que je sois capable de les collecter.

23 Q C'est tout simplement pour pouvoir
24 percevoir les droits?

25 R C'est le principal de mes devoirs.

26 Q C'est votre principal devoir?

27 R Maintenant, il y a d'autres devoirs
28 qui sont secondaires; ces choses-là sont contenues dans
29 la partie 10 du Shipping Act, qui concerne les droits et
30 devoir du maître de havre, mais enfin.....



L. AMYOT
Enquête
EX. - 14

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4 Q A votre connaissance, qui s'occupe des
5 aides de la navigation à Baie Comeau?

6 R Qu'est-ce que vous entendez par "aides"?

7 Q Les bouées, les phares?

8 R Je crois que c'est le gouvernement,
9 en bonne partie.

10 O A votre connaissance?

11 R Maintenant, sur les quais privés, il
12 y a des lumières qui appartiennent aux compagnies.

13 Q Des lumières qui appartiennent aux
14 compagnies?

15 R Aux compagnies. Si on va au quai
16 de Cargill, les lumières appartiennent à Cargill, mais
17 si parfois un capitaine se plaint à moi, certainement que
18 c'est de mon devoir de voir à ce que les lumières soient
19 allumées.

20 Q C'est quel genre de lumières?

21 R Ce sont des lumières - je ne sais pas
22 comment on peut appeler ça en termes de marine - pour
23 prendre un "bearing", comme ils appellent.

24 Q Range lights?

25 R Probablement, oui. Quand il y en a
26 juste une qui fonctionne, ce n'est pas un signal pour eux
27 autres.

28 Q Vous avez mentionné que ça existe sur
29 le quai de Cargill?
30



L. AMYOT
Enquête
EX.- 15

R Ca n'existe pas sur le quai, ça existe à certains endroits en dehors du quai, qui servent aux bateaux pour s'orienter pour entrer dans le port.

Il y en a aussi à C.B.A. Quelques plaintes que j'ai eues venaient de capitaines, à l'effet qu'elles fonctionnaient mal ou qu'elles ne fonctionnaient pas du tout, dans le fond de la baie.

Q Maintenant, C.B.A., quel genre de lumières ont-ils?

R Ils ont des lumières vertes, des lumières comme vous venez de mentionner tantôt.

Q Des "range lights", c'est-à-dire, deux lumières, une plus haute que l'autre, et séparée par une distance assez grande?

R Oui.

Q C'est ça?

R Oui. Mais ce n'est pas du tout ma fonction de m'occuper de ça.

Q Non, on comprend ça.

R

- ET LE DEPOSANT NE DIT PLUS RIEN -

Je, soussigné, sténographe officiel,
étant dûment assermenté, certifie par
les présentes que la déposition



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L. AMYOT
Enquête
EX. - 16

ci-dessus est la transcription exacte
et fidèle de mes notes sténographiques.

G. OSCAR BOISJOLY
Sténographe Officiel.



C A N A D A
ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau
8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

JOHN HARLSON, Manager of Marine operations
in Baie Comeau, age 39, being duly sworn on the Holy
Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES, Counsel for the Commission:

Q. How long have you been in this function -
occupation, I should say?

A. Here, three and a half years.

Q. Three and a half years. That would be
back in nineteen fifty eight, roughly?

A. Nineteen fifty nine, I came here.

Q. I believe that there are pilots here,
and that they are in the employ of your company. Is that
correct?

A. Yes, we have two docking masters.

Q. Two docking masters?

A. Yes.



J. HARLSON,
Inquiry,
EX. - 18

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Q. And could you tell the Commission how long the employment of these two docking masters has been going on?

A. We have had docking masters since we started our operations here in nineteen sixty.

Q. In nineteen sixty?

A. Yes.

Q. And you were here when your operations started?

A. Yes Sir.

Q. Did you have anything to do with the hiring of the docking masters?

A. Yes Sir.

Q. Would you tell the Commission the reason why docking masters were hired?

A. Well, we felt that with the work-load we had here, the number of ships coming in and out, and the fact that we have quite a costly operation over there, we needed someone to safeguard these things.

Q. And the ships which tie to your port or to your wharf, are they your own ships or chartered ships or foreign ships?

A. Chartered ships.

Q. Are they always the same?

A. No.



J. HARLSON,
Inquiry,
EX. - 19

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4 Q. They vary from year to year?

5 A. Well, we have some of the same ships
6 coming back, but we have ships coming in all the time,
7 strange ships coming to the port, that is, the foreign
8 going ships.

9 Q. And what would be the tonnage of those
10 ships?

11 A. Varying from 6,500 tons, dead weight,
12 to about 40,000.

13 Q. Would you have the net tonnage?

14 A. Net is about 2,500 to maybe 12,000.

15 Q. Are they foreign-flagged ships? Are
16 there any foreign-flagged ships among those?

17 A. Oh yes.

18 Q. What flag would they be.

19 A. Just about all of them.

20 Q. All of them?

21 A. Well, practically all.

22 Q. And how many ships would you have
23 chartered in one year?

24 A. We have, last year, 223. Mr. McGregor
25 may know more than I do.

26 Q. Would you know also how many trips your
27 ships make here a year?
28
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J. HARLSON,
Inquiry.
EX. - 20.

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6 A. Well, they are not our ships.

7 Q. Well, ships chartered, taking your
8 goods out?

9 A. Ships coming in to pick-up grain,
10 about 225 a year.

11 Q. 225 a year?

12 A. This is taking grain out of the port.

13 Q. For your sole operations?

14 A. Yes Sir.

15 Q. Coming back to your pilots, would you
16 describe how they work? Would they work on shifts, or are
17 they both on duty at the same time?

18 A. We have one man who does most of the
19 piloting, and we have another one who does most of the
20 agency work, we have an agency operation: Captain Creaser
21 does the agency operations, but is also the pilot or docking
22 master in case he is needed; and Mr. Beaudet does most of the
23 docking, and also assists the agency, as he is needed.

24 Q. And how many ships would you have in
25 one week?

26 A. I am not too fully...

27 Q. Say: Your work-month or work-week?
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J. HARLSON,
Inquiry.
EX. - 21

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6 THE PRESIDENT:

7 Is that for the whole harbour.

8 MR. MAURICE JACQUES:

9 No, for cargo.

10 Q. In your work-week, how many ships
11 would you have?

12 A. I would think we could probably handle
13 about ten to twelve.

14 Q. Ten to twelve a week. This is loading
15 and discharging?

16 A. Loading and discharging.

17 Q. In what period of the year would that
18 be?

19 A. Usually about this time of the year:
20 May, June.

21 Q. And what is your slackest month of the
22 year?

23 A. Well, the winter months are the slackest:
24 March.

25 Q. Have you any traffic at all during the
26 winter months?

27 A. We have never had any traffic in March
28 since we are here. We have some traffic in January, February
29 and April.
30



J. HARLSON,
Inquiry.
EX. - 22

THE PRESIDENT:

Q. Any particular reason why there is no traffic in March? Is it the ice?

A. No. Probably the way the company sets up to dispose of the grain.

Q. No grain is coming down from the Great Lakes?

A. That's right.

Q. During the winter, you have no traffic, there?

A. That is true.

Q. So therefore, it is going only to the ocean-bound traffic?

A. That's right.

MR. RENWICK:

Q. It wouldn't be that you run out of grain?

A. That could be one reason. I am sure Mr. McGregor could answer.

MR. SMITH:

Q. Would any come by rail?

A. No Sir, there is no rail.



J. HARLSON,
Inquiry,
EX. - 23

MR. MAURICE JACQUES:

Q. Did you have anything to do with the hiring of the pilots?

A. Yes Sir.

Q. What guided your choice of pilots?

A. We wanted a man who had experience as an ocean-going master, who had the qualifications for the job.

Q. How did you proceed to find those men?

THE PRESIDENT:

Q. You say: " Ocean-going masters". Would you say that an ocean-going master would be more qualified than anybody else?

A. No Sir, that isn't true at all. I was thinking primarily of the first man we hired, who was an ocean-going man; but we have revised that thinking somewhat since then.

Q. So, what would be the requirements that you would ask of a pilot here?

A. We need a man who is familiar with the approaches to the berth, who has experienced docking and undocking ships.

Q. All kinds of ships?

A. Yes Sir.



J. HARLSON,
Inquiry.
EX. - 24

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5 Q. So, he has some actual knowledge bearing
6 upon handling ships as a master?

7 A. That is correct.

8 MR. MAURICE JACQUES:

9 Q. And how did you proceed to find those
10 men?

11 A. Our first contact was through Foundation
12 Maritime Limited, the people we engaged our tug from; they
13 gave us a lead to the first man we hired.

14 Q. Who was he?

15 A. Captain Jack McLish.

16 Q. He is no longer with you?

17 A. He is no longer with us, he is back at
18 sea.

19 Q. Do you know why he quit?

20 A. No Sir.

21 Q. And when you found that man, when you
22 were given various information, what guided your choice among
23 the people you had?

24 A. Well, they had to - say we were looking
25 for a man, as I said, with experience, and Captain McLish,
26 at the time, seemed to have more experience than anyone else
27 who had applied for the job at this time.
28
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30



J. HARLSON,
Inquiry.
EX. - 25

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5 Q. And did you require, apart from the
6 sea-going qualifications, any other qualifications?

7 A. Well, we wanted, as usual, a sober,
8 industrious man who seemed to know the job.

9 Q. Had you looked for a man with past
10 experience in pilotage or docking job?

11 A. I can't recall that we had any applicati
12 from men who had previous experience; I don't know that this
13 was one of the requirements.

14 I do know that Captain McLish had varied
15 experience in different types of vessels, and that he had
16 operated such things as ferry boats that dock several times
17 a day, plus tankers, sea-going tugs, just about the general
18 run of ships.

19 Q. And how many pilots did you hire at
20 first?

21 A. One.

22 Q. And when did you hire the second one?

23 A. It must have been May of nineteen sixty
24 one; it must have been about that time.

25 Q. Why did you hire a second one?

26 A. Well, we hired another man because we
27 were working these pilots in two capacities: as agents and
28 docking masters, and our business was increasing, particularly
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J. HARLSON,
Inquiry,
EX. - 26

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5 in the agency, and we decided we needed someone to assist
6 in this capacity, as agent docking master.

7 Q. When you thought of hiring pilots, had
8 you thought of applying to the various pilotage associations
9 for a man?

10 A. No Sir.

11 Q. Now, coming back to the ships you
12 handle here, what would be their draft, their maximum draft?

13 A. The maximum loaded draft of any ship
14 we have handled here would be around 34 feet.

15 Q. And what would be the average draft?

16 A. About 30 feet.

17 THE PRESIDENT:

18 Q. Could you handle deeper draft than that
19 with your wharf here?

20 A. In our wharf, we have a minimum depth
21 of 37 feet.

22 MR. MAURICE JACQUES:

23 Q. Did you have to do any dredging
24 alongside the wharf?

25 A. Oh yes.

26 Q. Do you do the maintenance dredging?

27 A. Well, we haven't come to that; there
28 has been no requirement for any further dredging.
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J. HARLSON,
Inquiry,
EX. - 27

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6 Q. No evidence of silting?

7 A. No Sir.

8 Q. Nowhere near your dock?

9 A. That is true.

10 Q. Do you know if there is evidence of
11 silting anywhere else in Baie Comeau?

12 A. Not to my knowledge.

13 MR. SMITH:

14 Q. My Lord, there is a few questions I
15 would like to ask this witness: I understand the capacity
16 of the grain elevators is 11.5. Is that correct?

17 A. No Sir, it is more like 12.8.

18 Q. From the information that I have placed
19 before me, - it is a couple of years old - I think 60
20 millions bushels were transferred to these elevators. Is
21 that correct?

22 A. This is probably true, although I don't
23 have the figure of 60 millions.

24 Q. Well, it doesn't matter so much, as
25 long as we get the general picture, we can take that approximate
26 figure to be correct. Now, is there any anticipation, do you
27 know, of your company to enlarge the scope of your shipments
28 by increased elevator capacity, or in any other way?
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J. HARLSON,
Inquiry,
EX. - 28

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6 A. Not to my knowledge, Sir, no.

7 Q. With regard to the shipment through the
8 Cabot straight, are there any serious problems there that have
9 not been already overcome by your work or attempts?

10 A. I have talked to several masters - of
11 course, we are vitally interested in that - I have talked
12 to the ship masters that come here through the Winter, and
13 none of them seemed to experience any difficulty going through
14 Cabot straight.

15 Q. Coming to the question of pilotage here,
16 I know that you have your own pilots, and I understand they
17 are available to others as well as to your own company?

18 A. That is true.

19 Q. On payment of pilotage dues. Now, in
20 the future - I don't know what is going to happen - in the
21 event of this area being declared a pilotage district and
22 coming under a pilotage authority, would your company have
23 any objection to a new policy, a new standard in that
24 connection?

25 A. I think that question could be best
26 answered by the general manager and vice-president, Mr.
27 McGregor, as to what our policy would be.

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J. HARLSON,
Inquiry,
EX. - 29.

MR. MAURICE JACQUES:

Q. Have you ever had any accident here in docking or undocking ships?

A. No Sir.

Q. Never one?

A. No serious accident; we have had a couple of times where a ship would have a small indent; we have never had serious trouble at all.

Q. Has the question of liability of your employees ever been discussed - your pilots as employees?

A. I think, in the beginning, this was discussed through our company representative, and I don't remember what the outcome was.

Q. Would you know if you have insurance coverage for these employees, for their liability?

A. Do you mean: As regards accident to ships?

Q. Yes?

A. No Sir, I don't know.

Q. What would be his wages for piloting ships here? Could you separate the earnings of the agents and the earnings for the pilotage work?

A. Well, at the moment, of course, one does relatively little agency work through the Summer, he is fairly busy with the pilotage, and the other one is more or less



J. HARLSON,
Inquiry,
EX. - 30.

assistant-docking master and docking agent.

Q. What would be the salary of the docking master?

A. At the moment, nine thousand dollars.

Q. Nine thousand dollars. Is he allowed any vacation during the year?

A. Yes Sir, two weeks.

Q. Two weeks' vacation a year. Does he participate in any pension fund?

A. I am not quite sure, but I think he does.

Q. Do you know if he participates in any group insurance?

A. Yes Sir.

Q. Do you know if he is under the unemployment insurance?

A. I would assume so. This, I am not sure of.

Q. Do you know if he benefits from the Workmen's Compensation.

A. I am quite certain he does, yes.

Q. Now, when your pilot does work for other ships or for other companies, I should say, do you charge a fee to the other company?



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

J. HARLSON,
Inquiry,
EX. - 31.

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A. Yes Sir.

Q. What would be that fee?

A. Fifty dollars each way; fifty dollars
for docking or undocking.

Q. For docking or undocking?

A. Yes.

Q. No matter what the size of the ship is?

A. That is correct.

Q. Do you have any tug boat to assist in
docking?

A. We have a tug here, yes.

Q. Are they your company's.

A. Chartered by our company from Foundation
Maritime.

Q. From Foundation Maritime?

A. Yes, it is a Foundation tug.

Q. Would you know their size and horsepower?

A. The tug is about 105 feet long, I think
29 foot, or thereabouts, breadth, and 1,000 power diesel.

Q. Are they manned by Foundation people or
by your people?

A. By Foundation people.



J. HARLSON,
Inquiry.
EX. - 32

Q. How many have you got?

A. One tug. - You mean: crew?

Q. Tugs?

A. One tug.

THE PRESIDENT:

Q. You say it is a fixed fee for each docking or undocking; any occurrence of moving from one berth to the other one?

A. No Sir, we haven't had this happened.

Q. No, I understand here that pilotage is not compulsory, nor the paying of the dues is not compulsory?

A. It is not compulsory in any other berth; it is compulsory at Cargill berth.

Q. It is compulsory for your berth?

A. Yes Sir.

Q. And could you tell us the reason why it is compulsory at your place?

A. Well, we felt that in all cases, we needed assistance to these vessels by a docking master to dock, to speed up the operation of handling these ships and to protect our berth.

Q. Is that due to any special hazard of the harbour? Difficulties?



J. HARLSON,
Inquiry,
EX. - 33

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5 A. No Sir, I don't think so.

6 Q. No currents?

7 A. We have a small current at times in the
8 English River just off one end of our berth, usually about
9 this time of the year, when we get the run off.

10 O. Would the wind be bothersome?

11 A. It certainly could be, yes Sir.

12
13
14 AND FURTHER DEPONENT SAITH NOT.
15
16

17 I, the undersigned, Court Reporter,
18 hereby certify that the above is a
19 true transcript of my shorthand notes.
20

21 G. OSCAR BOISJOLY,
22 Court Reporter.
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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

C A N A D A

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

DONALD S. MCGREGGOR, operations manager
of Cargill, age 42, being duly sworn on the Holy Evangelists,
doth depose and say:

EXAMINED BY Mr. MAURICE JACQUES,

Counsel for the Commission:

Q. How long have you been in this occupation?

A. Approximately two years.

Q. Now, you have heard the evidence given by
the previous witness; would you tell the Commission whether
your company has ever thought of applying to the Department
of Transport to handle pilotage here?



DONALD S. MCGREGGOR,
Inquiry,
EX. - 35

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6 A. No, we have not.

7 Q. Have you ever been approached by D.O.T.
8 from the point of view of handling pilotage here?

9 A. No.

10 Q. Have your pilots ever been approached
11 as regards to their work conditions, holding licence coming
12 under D.O.T.?

13 A. No, they have not.

14 Q. Now, as regards the insurance...

15 THE PRESIDENT:

16 Q. You mean: coming under the Canada
17 Shipping Act.

18 A. They have not been approached, Sir.

19 Mr. MAURICE JACQUES:

20 Q. Now, as regards insurance coverage, are
21 you able to tell the Commission what coverage you carry, if
22 any, as regards the liability of your company in the case of
23 accidents done by your pilots to your chartered ships or any
24 other ships?

25 A. None whatever.

26 Q. Have you ever had any difficulty with
27 that responsibility?

28 A. No, it is the same as anywhere else.

29 Q. What do you mean?
30



DONALD. S. MCGREGGOR,
Inquiry,
EX. - 36

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6 A. The pilot or the docking master has no
7 responsibility: he is the servant of the ship.

8 Q. That's how you consider him: a servant
9 of the ship?

10 A. Yes.

11 Q. Now, would you prepare for the Commission
12 a statement giving for the past year the number of ships,
13 net tonnage, flag and any other information concerning those
14 ships, gross tonnage if you have it, and draft on leaving
15 loaded?

16 A. I am not sure I understand your question.

17 Q. Would you prepare a statement for last
18 year, showing the name of the ships that would have called
19 at your dock, with the net tonnage, gross tonnage, and also
20 draft, if you have it, and flag?

21 THE PRESIDENT:

22 Would you amplify on the word: here.

23 Mr. MAURICE JACQUES:

24 At his dock, Cargill

25 A. I will be very glad to.

26 Q. And would you also prepare a statement
27 on the number of docks which your pilots have done for the
28 other companies here, in Baie Comeau.

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DONALD S. MCGREGGOR,
Inquiry,
EX. - 37

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6 A. I would have to look if we have all
7 the information available.

8 Q. I am sure you have that.

9 THE PRESIDENT:

10 Q. Could you entertain us on the trend of
11 shipping, here at your wharf or around, for the last few
12 years, and what you think it is going to be in the next
13 few years?

14 A. The trend is increasing all the time:
15 I presume it will continue to increase.

16 MR. SMITH:

17 Q. I have just one question I would like
18 to ask this witness, your Lordship: In the event of a
19 change in policy, in the set-up of pilotage in Canada,
20 would there be any objection from your company in changing
21 the present policy and fitting itself in to a general overall
22 uniform policy in pilotage?

23 A. The objection would be on the principle
24 of free enterprise: we don't feel it is necessary to make
25 any changes at the present time, we feel we have been doing
26 an adequate job.

27 Q. But I am thinking about a question of
28 uniformity, in providing efficient service and getting
29 uniformity. I am not saying this is going to come about?
30



DONALD S. MCGREGGOR,
Inquiry,
EX. - 38

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6 A. I don't know what you mean by "uniformity"

7 Q. The same policy all over Canada?

8 A. I am against that.

9 Q. Suppose it is one pilotage district?

10 A. I think you have different problems here,
11 in Montreal, in Toronto: I don't think we need a uniform
12 pilotage system throughout Canada.

13 MR. RENWICK:

14 Q. Perhaps not for your company, but for
15 the overall good?

16 A. For the overall good, I don't think it
17 is true, I don't think it is necessary.

18 Q. You can only speak for your area: you
19 express an opinion?

20 A. Yes, that is true.

21 MR. MAURICE JACQUES:

22 Q. When your docking master does a job for
23 the other companies, do you have some sort of written
24 contract with the company?

25 A. No, except for our own published tariff.

26 Q. Would you file a copy of this tariff?

27 A. Yes Sir.

28 Q. Would you tell us what it contains?
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DONALD S. MCGREGGOR,
Inquiry,
EX. - 39

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6 A. It contains the complete elevator
7 charges, stevedoring charges, docking-master charges, tug
8 charges, overtime charges: I think this should be pretty
9 complete. There could be other incidental charges.

10 THE PRESIDENT:

11 Q. When your pilots are employed by other
12 companies or for other purposes, do you ask any other people
13 employing to sign a brief of liability?

14 A. This comes under the Canada tugboat
15 Act, it is in our tariff: also, we waive responsibility
16 for acts of the docking master, as far as any damage to
17 property is concerned.

18 MR. MAURICE JACQUES:

19 Q. Would you indicate your dock on chart
20 1217? Please underline it in red?

21 A. There are two docks, actually, right here
22 you mean?

23 Q. These are your docks?

24 A. Yes.

25 Q. Circle them in blue.

26 A.

27 Q. Now, as regards this tariff, it doesn't
28 contain, as his Lordship said, any waiver of responsibility
29 of any sort?
30



DONALD S. McGREGGOR,
Inquiry,
EX. - 40

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5 A. The tariff itself, I might add that
6 we are yet to come to an unfortunate experience. I could
7 have had that available: I don't have it with me - the
8 tariff has an addendum of the Canada tugboat Act.

9 MR. SMITH:

10 There is another question I would like
11 to put to the witness: So, you feel that as far as your
12 wharf is concerned, you need somebody with local knowledge
13 to dock the ships; now, do you think that with the loads
14 you have now, the number of ships is a danger in itself, now?

15 A. No, I do not.

16 Q. If the trend is to increase, if there is
17 an increase, do you think that very soon you will have some
18 traffic difficulties?

19 A. None whatsoever.

20 Q. It is quite enough for that?

21 A. That is correct.

22 MR. RENWICH:

23 Q. One question on the boat agreement: We
24 have heard argument on that, on the West coast, but is it an
25 over riding agreement that is country-wide, to your knowledge?

26 A. Not to my knowledge. It may or may not
27 be, but it is a Canadian...I don't have the actual description
28 of the agreement or waiver: Perhaps other witnesses might
29 have this information.
30



DONALD S. MCGREGGOR,
Inquiry,
EX. - 41

MR. MAURICE JACQUES:

The tugboat agreement to which the witness refers is actually a standard docking condition for the Eastern Seaboard of Canada, and it contains among other things a waiver of liability.

The agreement states that the crew, the tug and also any other personnel handling the ship become the servants of the ship handled.

A. This is only for the matter of the tug. The docking master is exonerated of any responsibility by the tariff, including ourselves.

Q. Do you, in your tariff, have an exemption clause?

A. That's correct, for docking purposes.

MR. SMITH:

Q. Is there an actual contract between your company and the docking master?

A. No Sir, he is an employee.

Q. And he comes under the terms of the stipulations you mentioned?

A. That's correct.

Q. There is no separate contract?

A. No Sir.

THE PRESIDENT:

Q. Will you be able, at some time, to file



DONALD S. MCGREGGOR,
Inquiry,
EX. - 42

a copy of that tugboat agreement?

MR. MAURICE JACQUES:

The witness will file his tariff, and
it is included in the tariff, but I have one copy of the
tugboat agreement in my office.

THE PRESIDENT:

I would like to have it on file.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

JAMES ALLISTER CUMMINGS, age 42,
Transportation superintendent for Canadian British Aluminium
Co., being duly sworn on the Holy Evangelists, doth depose
and say:

EXAMINED BY Mr. MAURICE JACQUES,
Counsel for the Commission:

Q. How long have you been in that position?

A. As Transportation superintendent, since
September last year. Prior to that, I was dock superintendent
for two years.

Q. And was that here in Baie Comeau?

A. In Baie Comeau, for the same company.



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 44

1 Q. Before we go any further, would you
2 indicate your dock on the Chart 1217, please?

3 A. You want me to circle it?

4 Q. Yes please.

5 A.

6 Q. And mark it with the letter A, please.

7 A.We should include this buoy, here.

8 Q. Was that dock built by your company?

9 A. It was built, yes, designed and built
10 for our company.

11 Q. For your company?

12 A. Yes.

13 Q. And how long has it been in existence?

14 A. It was built in nineteen fifty seven.

15 Q. In nineteen fifty seven?

16 A. In nineteen fifty seven-fifty eight.

17 Q. And what sort of ships tie up at that
18 dock?

19 A. Well, a very large variety; from small
20 schooners, about 400 tons cargo-carrying capacity; the
21 largest vessel we have handled is one of approximately 17,000
22 tons dead weight.

23 Q. And apart from this large vessel you
24 have handled, what is the average size of ship which you
25 handle?



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 45

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5 A. It would be - it is hard to say an
6 average, Sir, because we do have quite a number of small
7 ones; the majority, perhaps, would be what would normally
8 be termed a 10,000-ton vessel.

9 Q. 10,000 tons dead weight?

10 A. Yes Sir.

11 Q. Are you able to supply the Commission
12 with a list of all ships handled at your dock throughout the
13 year, showing the name, the flag, net tonnage, gross tonnage
14 and the draft?

15 A. Yes, I can do this.

16 Q. What sort of cargo was handled at your
17 dock?

18 A. Incoming cargo, normally from some
19 general cargo: bricks, steel, construction steel, alumina,
20 coke, anthracite and pitch.

21 Outgoing cargo, in most cases would
22 be aluminum in ingot or block form.

23 Q. And how is your traffic spread over a
24 year?

25 A. We have a concentration during the
26 normal Summer months. However, we do operate our facilities
27 during the Winter months, during which time we average about
28 two overseas vessels per month, that is: January, February,
29 March; and some coastal traffic as well, between here and
30



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 46

Rimouski or up to Quebec or Three-Rivers.

Q. And what would be your heaviest months?

A. The heaviest months is normally May, June and August, September, October, November, although during the Summer months, it is pretty well spread, except it would be heavier in the earlier months before the Winter season commences.

Q. Do the ships calling at your dock make use of the services of pilots?

A. The majority of overseas ships do.

Q. Do you make it compulsory for deep-sea ships to use these services?

A. No, we do not. We advise them that a docking master is available.

Q. And you leave the master of the vessel free to decide whether he should use him or not?

A. That is correct.

THE PRESIDENT:

Q. And most of them would take the docking master?

A. That is correct, Sir. We would, under certain circumstances, advise them that they should take a docking master.

MR. MAURICE JACQUES:



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 47

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5 Q. Are you able to trace in your records
6 the ships which use docking masters and those which do not?

7 A. Yes Sir, we have this on record.

8 Q. Would you, on the list, indicate which
9 ones did?

10 A. Yes, I can do this.

11 Q. Now, is the tug maintained by your
12 company?

13 A. The tug is not maintained by our
14 company.

15 Q. Is there any dredging done alongside
16 the dock, due to silting?

17 A. There was some dredging done recently,
18 I don't think it was due to silting. Soundings had been taken
19 about two years ago, and we felt we wanted to have a more
20 even bottom at the wharf, and in co-operation with the
21 Department of Public Works, dredging was done in nineteen sixty

22 Q. And what is the depth of water available
23 at low tide?

24 A. We have, at the entrance, 29.6, and
25 inside berth, 31 feet.

26 Q. And how many ships can you accomodate
27 at the same time?

28 A. We can possibly take three, depending
29 on the size.
30



JAMES ALLISTER CUMMINGS,
Inquiry,
EX. - 48

Q. Apart from maintaining the dock, do you maintain any aids to navigation?

A. Yes Sir, the company is responsible for maintaining two range-lights.

Q. What about the buoys?

A. The buoys are maintained - there is one flasher buoy which is the property of the company, but it is maintained by the Department of Transport.

Q. Now, who installed the range-lights, or who requested them?

A. This would be before I came to the company, but I understand they were installed at the request of the company.

Q. Have you had any complaints about these lights being out?

A. Some masters did question as to the lead of the light, but the majority of them were in favour of them, and they were

Q. Now, would you favour that Baie Comeau be made into a normal pilotage district, such as exists elsewhere in Canada?

A. Sir, I feel this is a question for the company policy. Are you asking me to answer on behalf of the company?

Q. Yes, if you feel that you can answer, that you would be entitled to answer the question.



JAMES ALLISTER CUMMING
Inquiry,
EX. - 49

A. Well, I feel that possibly the company would agree to have pilotage authority.

O. Have you had any complaints about the services rendered by the pilots?

A. On the contrary, I would say they are excellent.

Q. Are they always available when you require them?

A. I would say: On most occasions, yes.

O. And could tell us about the occasions on which they were not available?

A. Well, due to congestions in the port, when other vessels were being docked or undocked, the pilot was occupied docking a vessel or undocking a vessel from the facilities; there would be some occasion when we would have to wait.

But these occasions are very infrequent occasions, and on those occasions, it was a case of: first ship ready was the first one to go out. There was no case of not getting the services because a cargo ship had to go out.

O. So, the cargo ships have priority?

A. I would say they have; I would say the first one ready would be the first one to go out.



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 50

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3 Q. And you never had any difficulty in that
4 respect?

5 A. We never had any difficulty; delay would
6 be very normal in that type of operation.

7 Q. Now, as regards the contract to which you
8 enter when you use a docking master, have you any comments to
9 make on that?

10 A. We have no contract, Sir.

11 Q. Well, if you hire the services of a docking
12 master, I understand that you do so according to the terms and
13 conditions of the tariff?

14 A. We advise the principal agents of the
15 carrier that the docking master is available; they are further
16 advised that it is a docking master for docking and they would
17 come under the conditions and tariff of the company.

18 Q. So, you have nothing to do whatsoever with
19 the hiring of the docking master?

20 A. Nothing whatsoever.

21 Q. Have you ever received any complaints from
22 the master of a vessel, of a ship, concerning the limitation
23 of responsibility of a pilot, the docking master?

24 A. I have not, Sir.

25
26 MR. SMITH:

27 Q. I have one question to ask of the witness,
28 my Lord: What is the annual producing quantity of your smelter
29 here.

30



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 51

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4 A. We figure on 120 tons.

5 Q. And do you anticipate increasing that
6 capacity in the near future?

7 A. Not in the foreseeable near future.

8 Q. In the course of time, do you think it
9 might be inevitable?

10 A. It is the hope of the company that our
11 plant, eventually, there will be expansion.

12 MR. RENWICK:

13 Q. Is there any such a thing as a full
14 cargo be moving out of here?

15 A. No Sir, on very rare occasions; the
16 majority of vessels that do come in here for metal are on a
17 regular line of trade from Montreal or Quebec to Europe, and
18 the majority of cases, they come in here and load anywhere
19 between 1,000 to 2,000 tons.

20 However, there is no set pattern.

21 Q. It is possible that a full load could be
22 loaded here in Baie Comeau?

23 A.

24
25 THE PRESIDENT:

26 Q. It could be?

27 A. Yes Sir.

28 MR. RENWICK:

29 Q. Has it ever been , to your knowledge?
30



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 52

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4 A. Yes, we have had a small vessel of 2,500
5 tons dead weight take a full load.

6 THE PRESIDENT:

7 Q. Do you know any reason why you have not
8 more than half of a full cargo? What I mean is because we
9 were told that about kittimat, with regard to aluminum, and
10 we were given a reason. The pattern of aluminum production
11 does have only small cargos or half-full cargos.

12 A. I believe it depends on the sales picture;
13 if the customer wants to receive a thousand tons a month, then
14 we are limited to ship him a thousand tons a month.

15 Q. It is not the pattern that it should be
16 full cargo all the time?

17 A. No Sir.

18
19 MR. MAURICE JACQUES,

20 Counsel for the Commission:

21 Q. Has there ever been any casualty on docking
22 or undocking ships at your dock?

23 A. Very minor.

24 Q. What happened?

25 A. Well, a vessel struck the wharf in coming
26 in, in possibly adverse wind conditions.

27 Q. Did they have a docking master onboard at
28 the time?

29 A. Yes Sir.
30



JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 53

Q. Have you ever given any thought to making the use of a docking master mandatory, for safety sake?

A. No Sir. There is, however, the company policy.

Q. Do you feel that a docking master may not be necessary for docking ships?

A. We feel it is advisable in ocean-going ships, to have a docking master; we strongly recommend they use them.

THE PRESIDENT:

Q. Well, would that be for ocean-going ships and not for the others?

A. Coastal vessels are more accustomed to berthing, and the majority of the ships running the Gulf of St. Lawrence and the River, a number of these boats do without having the facilities of a pilot; the masters are accustomed to dock here, and are in a position to dock in our facilities without a docking master.

Q. To your knowledge, are there any special difficulties in entering the harbour here, for a ship?

A. I would say, for a foreign-going ship, where the average master has had practically no docking experience, that he should use a docking master, coming in, possibly for the first occasion, he wouldn't know which particular berth he would have to dock, not being aware of



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TORONTO, ONTARIO

JAMES ALLISTER CUMMINGS
Inquiry,
EX. - 54

any currents across the face of the wharf, and the way the wind might affect vessel, and we certainly recommend at all times that any vessel coming in for the first time use the services of the docking master.

Q. Where would those docking masters board a ship?

A. We have a work boat that we use to take the docking master out, usually about half a mile south-east of Pointe St-Pancrace.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred sixty three:

ROBERT SAVAGE,

A. I might make a correction: The capacity
of the smelter is 90 and not 120,000 tons.

MR. SMITH,

Commissioner:

Q. The reason is, the information supplied
me is 90,000 tons, and then they went on to say that this
was for 1961; I think that it was expected for the following
year to increase it to the figure that the witness gave?

A. There has been some discussion about
increasing the size of the smelter from its rated present



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R. SAVAGE,
Inquiry,
EX. - 56

capacity of 90,000 tons, but there has been no advisement
that anything is going to take place, and I cannot read
the minds of my directors.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau,
8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

THOMAS J. RUST, age 43, divisional
mill manager, Quebec North Shore Paper Company, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY Mr. MAURICE JACQUES,

Counsel for the Commission:

Q. You have been how long in that position?

A. Almost a year and a half.

Q. Here in Baie Comeau?

A. In Baie Comeau.

Q. Does your company own any wharf or dock
in Baie Comeau?

A. Yes.



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T.J. RUST,
Inquiry,
EX. - 58

1
2
3
4 Q. Would you indicate them on Chart 1217,
5 by the letter B.

6 A. I don't know whether they are shown on
7 this, because they have recently been built.

8 Q. Would this be it? Is it in English Bay?

9 A. Yes.

10 Q. It is in English Bay?

11 A. Yes, but it appears to be the government
12 wharf which we use.

13 Q. There is an inset, there?

14 A. It is not shown.

15 Q. Would you indicate where the dock is, by
16 the letter B, please.

17 A. All right.

18 Q. And what would be the size of that wharf,
19 since it is not shown on the Chart?

20 A. I don't know, I would have to check that
21 figure for you.

22 Q. And what traffic goes there?

23 A. Pulp wood loading.

24 Q. Only?

25 A. Yes, that's right.

26 Q. And what type of ships go there?

27 A. Lakers.

28 Q. Lakers?

29

30



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T.J. RUST,
Inquiry,
EX. - 59

1
2
3
4 A. Yes.

5 Q. Are you able to supply the Commission
6 with statistics for the last year, as to gross tonnage, net
7 tonnage, draft and flag of the ships which called at your
8 dock?

9 A. Just at the pulp-wood-loading dock?

10 Most of our tonnage are newsprint which
11 is handled at this government wharf which we do not own,
12 but we pay a rental to use it, and everything that we load in
13 the way of pulp and newsprint is handled at this wharf.

14 The only thing we handle at our own wharf
15 is pulp wood which is sent to our other mill at Thorold.

16
17 Q. For all your operations, related to
18 shipping, of course, would you prepare a statement showing
19 the gross tonnage, dry tonnage, flag of ships which call at
20 either the government dock for your shipments, or your own
21 dock?

22 A. Yes.

23 Q. Do your ships make use of the docking
24 master?

25 A. Some of them, yes.

26 Q. Some of them?

27 A. Yes.

28 Q. What type of ships use the docking master?
29
30



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T.J. RUST,
Inquiry,
EX. - 60

1
2
3
4 A. Mostly the ocean-going ships; they come
5 in here to pick-up cargo for export.

6 Q. Would you tell the Commission what are
7 the majority of foreign-going ships that use the docking
8 master?

9 A. I believe most of them use him.

10 Q. Would your records indicate that?

11 A. Yes.

12 Q. Would you also show it on the statement?

13 A. Yes.

14 Q. Do you make it a practice to give
15 instructions to ships calling at your wharf or the government's
16 wharf to take the docking master?

17 A. No, we do not. We advise them that the
18 docking master is available.

19 Q. To the best of your knowledge, has there
20 been any casualty at the government dock or your own dock?

21 THE PRESIDENT:

22 Q. Do you advise them or not?

23 A. We advise them there is a docking master.

24 To the best of my knowledge, there has
25 been veryonly very minor accidents, I can recall only
26 one or two when the ship hit the end of the wharf.

27 MR. MAURICE JACQUES,

28 Counsel for the Commission:
29
30



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TORONTO, ONTARIO

T.J. RUST,
Inquiry,
EX. - 61

1
2
3
4 Q. Did she have a docking master at the time?

5 A. Not at the time, I don't think so; that,
6 I am not positive.

7 Q. What would be the reaction of your company
8 if Baie Comeau was set up as a regular pilotage district under
9 the Canada Shipping Act?

10 A. Well, I don't think we would be in favour
11 of it.

12 Q. Why?

13 A. We feel the facilities that we have here
14 right now are adequate, and the service we are getting from
15 the Cargill with their docking masters provide everything we
16 need in the way of piloting facilities.

17 Q. You don't feel there should be a government
18 contribution by the way of pilots?

19 A. We haven't studied it very carefully.

20 Q. These ships which call at your wharf,
21 are they your own ships or chartered ships?

22 A. The ship which carries the newsprint, which
23 is our principal product, from Baie Comeau to New York, is
24 chartered by the company; that is a subsidiary or part of
25 our organization.

26 MR. ROBERT KNOWLTON SMITH,

27 Commissioner:
28
29
30



R.J. RUST,
Inquiry,
EX. - 62

1
2
3 Q. Is the name of that ship the: Baie Comeau?

4 A. That is correct.

5 The ships which carry the pulp wood,
6 maybe Mr. Harlson could answer that question, he is in charge
7 of these ships, but some of these ships that carry pulp wood
8 are also our own ships, and others are chartered for us.

9
10 THE PRESIDENT:

11 Q. One thing I am not clear on: What is the
12 location of their own wharf? Is it in English Bay?

13 MR. MAURICE JACQUES,

14 Counsel for the Commission:

15 It is in English Bay, it is shown, my
16 Lord, on Chart 1217 by the letter B, in the small inset.

17 The actual dock is not shown on that
18 Chart, but the letter B indicates the place where it is.

19
20 THE PRESIDENT:

21 Q. That's the one we see from here, with
22 the chute for the wood?

23 A. Yes, there is a chute for loading.

24 MR. HAROLD ALEXANDER RENWICK,

25 Commissioner:

26 Q. I presume the reason you are exporting
27 pulp wood to Thorold, it is the same

28

29

30



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TORONTO, ONTARIO

R.J. RUST,
Inquiry,
EX. - 63

A.

That is correct.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

COURT RECESS.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau,
8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

CAPT. REGINALD McLEOD CREASER, age 42,
agent and pilot, being duly sworn on the Holy Evangelists,
doth depose and say:

EXAMINED BY Mr. MAURICE JACQUES,
Counsel for the Commission:

Q. Here in Baie Comeau?

A. That is correct.

Q. How long have you been a pilot in Baie
Comeau?

A. Since July 1961.

Q. 1961, July. Had you had previous
experience at sea before becoming a pilot?



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TORONTO, ONTARIO

R. McLEOD CREASER,
Inquiry,
EX. - 65

1
2
3 A. Ship master.
4 Q. Do you hold any certificate?
5 A. Master foreign-going certificate.
6 Q. When did you obtain your certificate?
7 A. In 1950.
8 Q. In 1950. Did you serve in command of
9 vessels?
10 A. Yes Sir.
11 Q. For how long?
12 A. Approximately four and a half years.
13 Q. What type of ships were they?
14 A. All paper goods.
15 Q. Where did they trade?
16 A. They traded on the coasts of Nova-Scotia,
17 and they traded in trans-atlantic: Connerbach, London,
18 Liverpool, Glasgow, Norway, Sweeden and the United States.
19 Q. Do you recall the tonnage, the net
20 tonnage of these ships?
21 A. I don't remember the net tonnage of the
22 first one, but I do on the last two; they are not the net
23 tonnages; I can give you the dead weight.
24 Q. The dead weight will do.
25 A. The last one was 5,500.
26 Q. 5,500?
27 A. Dead weight.
28
29
30



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TORONTO, ONTARIO

R. McLEOD CREASER,
Inquiry,
EX. - 66

1
2
3 Q. Now, Sir, in your experience as a ships
4 master throughout the world, would you tell the Commission
5 how you, as a ships master, have considered pilots?

6 A. I consider pilots in any port a very
7 important thing; very important for the particular reason
8 that they have local knowledge the ships master doesn't have.

9 Q. What about a ship master who would trade
10 regularly to one port? Would he be able to gain such local
11 knowledge?

12 A. That ship master would be able to gain
13 that local knowledge in that particular port.

14 Q. Would you consider then it should be
15 necessary for him to take a pilot?

16 A.It could be depending on how frequent
17 he ran into the port; yes, at times, I would consider it
18 necessary.

19 Q. Have you yourself ever entered any port,
20 as you were master, without a pilot?

21 A. Yes.

22 Q. Where?

23 A. I have entered ports in Norway, without a
24 pilot.

25 Q. Why?

26 A. Because there wasn't a pilot available.

27 Q. Let us re-phrase this question, then:
28
29
30



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R. McLEOD CREASER,
Inquiry,
EX. - 67

1
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When pilots were available?

A. When pilots were available, now, I have always taken a pilot.

Q. Why?

A. Because I consider this local knowledge far better than my own, even if I was running there continuously.

Q. And what is the importance of this local knowledge?

A. Currents, for instance, you have rivers, in a good many cases, you have rivers that incline to fill-up, reffs, and it is not possible for a ship master to know this as well as a local pilot.

Q. Would you consider the normal traffic rates and the customs of the port to form a part of this local knowledge required?

A. I would,

Q. You would?

A. Yes.

Q. Would you consider it unsafe for a vessel to enter any harbour without a pilot?

A.That would depend on how well the harbour was sheltered. I would consider it, yes, if he did not know this harbour.

Q. Would you consider it unsafe for the master to take it into Baie Comeau without a pilot or a docking master, I should say?



R. McLEOD CREASER,
Inquiry,
EX. - 68

1
2
3
4 A. Yes, I would.

5 Q. You would. Why?

6 A. For our local conditions, we have here.

7 Q. Which local conditions?

8 A. We have currents, specially.....

9 particularly at Cargill docks; there is the English River
10 there which can be very dangerous.

11 Q. How can it be dangerous?

12 A. The currents vary from the Spring until
13 Fall, specially in the Spring of the year, you have a current
14 running there, and you have a very strong set.

15 Q. What would be the rate, the velocity of
16 this current?

17 A. At least three or four knots, at times.

18 Q. How did you arrive at that figure?

19 A. This is an estimate by judging a ship
20 going into the dock, on the drift.

21 Q. Have you ever taken, or has anyone taken
22 any measurement, accurate measurement?

23 A. No, I wouldn't say they have taken
24 accurate measurements.

25 Q. What would be the direction of this
26 current?

27 A. Right across the end of the dock, to the
28 south.

29 Q. Would it change with the change of tide?
30



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R. McLEOD CREASER,
Inquiry,
EX. - 69

1
2
3 A. It would change.

4 Q. Does it turn 180 degrees?

5 A. Yes.

6 Q. Does it have the same velocity?

7 A. Not always.

8 Q. And which other local conditions exist
9 here, or local peculiarities?

10 A. Local peculiarities, if your wind is
11 southward, and coming into these docks, for instance, it is
12 very difficult, sometimes, to handle a ship; we need the
13 assistance of a dock master.

14 Q. Doesn't that apply to almost every
15 harbour in the world?

16 A. Yes, it depends on the lay of the docks,
17 too.

18 Q. And do you consider that local knowledge
19 is necessary on that point?

20 A. I consider local knowledge necessary in
21 this particular case.

22 Q. Now, Sir, how much room have you got to
23 manoeuvre your ship alongside?

24 A. Coming into Cargill docks between your
25 discharging berth and your loading berth, the sea-loading
26 berth it would be 225 feet.

27 Q. 225 feet. Is that in length?
28
29
30



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R. McLEOD CREASER,
Inquiry,
EX. - 70

1
2
3
4 A. That's between the two docks. You
5 have the docking berth here; could I show you that here?

6 Q. Yes, you may refer to the Chart. The
7 witness refers to the Cargill docks. And there is 225 feet
8 between the two docks?

9 A. That's right.

10 Q. Do you consider that ample manoeuvring
11 room?

12 A. Yes, with the exception when you have
13 a large laker, you have a laker there, for instance, the
14 McWirter, she is a 75-foot beam.

15 Q. Would that be the largest ship?

16 A. That would be the largest ship to
17 discharge freight.

18 Then, you could have also at the same
19 time a 20,000-ton ship at your sea berth, which would possibly
20 be in the vicinity of 68, 70, foot beam.

21 Q. Now, what about your depth of water
22 available?

23 A. Water available is 37 feet, controlling
24 depth.

25 Q. Does that create a problem?

26 A. No, the depth doesn't create a problem.

27 Q. There is ample water?

28 A. There is ample water, yes.
29
30



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R. McLEOD CREASER,
Inquiry,
EX. - 71

1
2
3
4 Q. Now, Sir, would you tell the Commission
5 how you put on and off ships entering here?

6 A. With a tug.

7 Q. The Foundation tug?

8 A. That is correct.

9 Q. Apart from the Foundation tug, do you
10 use any other boat of any kind?

11 A. We use our small work boat, that is built
12 on the style of these Cap Island boats built in Nova-Scotia.
13 I don't know if you are familiar with that?

14 Q. No, I am not; please explain that?

15 A. They are Cap Island boats.

16 Q. How long are they?

17 A. She is 38 feet.

18 Q. And beam?

19 A. Beam is 16 feet.

20 Q. Is she decked?

21 A. She is not decked, she is open.

22 Q. Powered by motor or sail...

23 A. Diezel.

24 Q. What use would you make of that boat?

25 A. We use that boat when we dock a ship
26 without a tug, we use this ship, not frequently.

27 Q. You use the tug boat to board the ship
28 when you use the tug for docking, and when you don't use a
29
30



R. McLEOD CREASER,
Inquiry,
EX. - 72

1
2
3
4 tug for docking, you use this work boat?

5 A. We use the work boat.

6 Q. And does that create any hardship on the
7 pilot during the Winter season or the Fall?

8 A. No, if it is really rough, if it is hard,
9 we use our tug.

10 Q. Now, will you indicate on Chart 1217 with
11 the letter X, the place where you usually board on and off
12 ship?

13 A. On a good many occasions, we board them
14 out here.

15 Q. Would you please put an X, there?

16 A. The majority of occasions, here.

17 Q. We will call this place where you board
18 ship on the majority of cases: X-1, on plan 290. Now, Sir...

19 A. May I add something here: That a lot of
20 our ships do come in and anchor themselves; we board them
21 after they are anchored.

22 THE PRESIDENT:

23 Q. Why do they have to anchor? To wait for
24 a space?

25 A. That's correct, Sir.

26
27 MR. MAURICE JACQUES,
28 Counsel for the Commission:
29
30



R. McLEOD GREASER,
Inquiry,
EX. - 73

1
2
3
4 Q. Now, I have noticed a large lake ship here;
5 would these lakers use docking pilots?

6 A. Some would and some wouldn't; that's a
7 question, I believe, I couldn't answer correctly. I would
8 say the majority would use pilots.

9 Q. Why?

10 A. The pilot and the tug.

11 Q. Why?

12 A. For the existing local conditions.

13 Q. Don't you find it rather strange that a
14 lake-boat master who is used to handling large ships in canals
15 and a lot of docks has to use a docking master to dock a boat?

16 A. I will put it this way: They have never
17 refused the pilot; they never offered to dock the ships.

18 Q. Now, Sir, to the best of your knowledge,
19 has there ever been an accident in docking or undocking ships
20 here in Baie Comeau.

21 A. Not to my knowledge.

22 Q. Not to your knowledge?

23 A. No.

24 Q. Again, to the best of your knowledge, do
25 the masters who dock their own ships do as good a job as the
26 docking masters, as efficiently, as quickly as the docking
27 masters do?

28 A. I would say that a master familiar with
29 his own ship is capable or more capable of docking that ship
30



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R. McLEOD CREASER,
Inquiry,
EX. - 74

1
2
3 than the new man that comes aboard and takes her over.

4 I am speaking now personally as when I
5 sailed master myself.

6 Q. That's a fair answer to a fair question,
7 if I may say. How long does it take you from the time you
8 leave the dock until. . . to board a ship, until the ship is
9 docked?

10 A. Approximately an hour.

11 Q. Would that be the longest time it takes
12 you?

13 A. No, the longest time.....it could vary
14 from an hour, an hour and a half to two hours.

15 Q. But an hour would be an average time?

16 A. That would be the average time, on normal
17 conditions.

18 Q. Would it be the same time when you undock
19 a ship?

20 A. No, you would undock a ship quicker, in
21 three quarters of an hour, at least, - half an hour to three
22 quarters of an hour, to turn her around and get onto your tug
23 and back.

24 Q. Are you able to say whether the majority
25 of your jobs are done during daylight hours or during darkness?

26 A. No, a good percentage is done during
27 darkness.

28 Q. Would it be more during darkness?
29
30



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R. McLEOD CREASER,
Inquiry,
EX. - 75

1
2
3
4 A. I would say about fifty-fifty.

5 Q. What would be your busiest time during
6 last year?

7 A. I would say: May and June.

8 Q. May and June?

9 A. Yes.

10 Q. And how many ships were brought to your
11 dock during those two months?

12 A.I can't really say how many ships
13 tied in May or June, but I do know 26 salt-water ships were
14 in in the month of May of last year.

15 Q. When you say: "Salt-water ships," would
16 they be ...?

17 A. That is the ocean-going ships.

18 Q. And would you have handled lake ships?

19 A. We have handled lake ships besides that.

20 Q. And you couldn't recall approximately?

21 A. No, I couldn't recall how many lake
22 ships, and I don't recall how many ships at that particular
23 month we handled at C.B.A.

24 Q. Could it be possible to get from you and
25 your colleagues statistics on your work load, how many ships
26 you had there during your workmonth and how many hours you
27 would spend each month, separately for each of you? Do you
28 think it is possible to obtain that?

29 A. Not on such short notice.
30



R. McLEOD CREASER,
Inquiry,
EX. - 76

Q. No, but you could prepare it?

A. Yes, it could be prepared.

Q. Would you prepare it, please.

A. We would do that, yes.

MR. R. KNOWLTON SMITH,

Commissioner:

Q. My Lord, I have a couple of questions to ask this witness: Earlier today, some evidence was given that the docking masters are employees of the Grain Company. Most places where we have been, the pilots are claimed to be professional men, self-employed. Would you have any choice between those two situations?

A.Yes, self-employed.

Q. Pardon?

A. Self-employed.

Q. Self-employed. But it would be a change from your present status?

A. That is right.

Q. Would you want to advance any reasons for that position, Captain?

A. I would rather leave it go at that, Sir.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Now, Sir, have you ever thought of requesting to have Baie Comeau set up as a pilotage district under the authority of the minister or under a local authority



R. McLEOD CREASER,
Inquiry,
EX. - 77

A. I haven't thought of that.

Q. Have you ever been approached?

A. I have never been approached.

Q. What would be your views on having Baie
Comeau set up as a pilotage district?

A. I think there is an awful lot to take
into consideration: For instance, your boat for boarding
and your tug, and all these things have to be taken into
consideration. We would have to go very deeply into that
before it could be accomplished.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT

ON BOARD

C.D. HOWE

BAIE COMEAU

VOLUME No.: 18

CDH

DATE:

May 18, 1963

OFFICIAL REPORTERS

ANGUS, STONEHOUSE & CO. LTD.

BOARD OF TRADE BLDG.

11 ADELAIDE ST. W.

TORONTO

364-5865

364-7383



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau.

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

JOSEPH THOMAS FREDERIC REAL BEAUDET, age
30, being duly sworn on the Holy Evangelists, doth depose
and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. You are a pilot here in Baie Comeau?

A. Yes Sir.

Q. How long have you been employed as a
pilot?

A. Since the 27th. of March 1961.



J.T.F.R. BEAUDET,
Inquiry,
EX. - 79

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Q. March 1961?

A. Yes.

Q. And prior to becoming a pilot, did you have any sea experience?

A. I had no sea experience; only the experience I had on the lakes.

Q. Do you hold any certificate?

A. Master inland and lake coasting.

Q. When did you obtain your master inland.

A. I think it was in 1956.

Q. 1956?

A. Yes.

Q. And your master coasting?

A. 1957.

Q. Did you ever serve in command of a ship?

A. No.

Q. What position did you occupy on the ships on which you served?

A. The last four years, I was first master.

Q. And what size ship was she?

A. The last one was about 10,000 tons, and the other one was only about 3,000 tons.

Q. They were lake-going?

A. Yes.

Q. Where did they trade?



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J.T.F.R. BEAUDET,
Inquiry,
EX. - 80

1
2
3 A. Baie-Comeau, Franklin, Shelter Bay,
4 and the Lakes too.

5 Q. And the Lakes?

6 A. Yes Sir.

7 Q. What places did you go on the Lakes?

8 A. Goderich, Rochester, Toronto, Hamilton,
9 Buffalo, Erie Harbour, Toronto, Sarnia, Saginaw Bay,
10 Muskegan, Chicago, Haron Bay.

11 Q. How many years of experience have you
12 had on ships altogether, before becoming a pilot?

13 A. 12 years.

14 Q. When you were mate, did you handle lake
15 boats, docking and undocking, on those Lakes?

16 A. Yes Sir.

17 Q. Did you do any piloting on the St. Lawrence,
18 as mate?

19 A. I was mate and pilot in 1960 on the
20 Hellendall between Kingston and Montreal.

21 Q. Now, before becoming a pilot, had you ever
22 had an occasion to handle a deep-sea ship?

23 A. No Sir.

24 Q. Did you find, when you first handled a
25 deep-sea ship, any major difference between a lake boat and
26 a deep sea.

27 A. Yes Sir.
28
29
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J.T.F.R. BEAUDET
Inquiry
EX. - 81

- 1
- 2
- 3 Q. What difference?
- 4 A. Deep sea, you give a slow ahead order, half
- 5 ahead and the wheel hard at port or starboard, they pick up speed
- 6 before they start to swing.
- 7 Q. What about a lake boat?
- 8 A. They take a little speed, but...
- 9 Q. They handle differently?
- 10 A. A little bit.
- 11 Q. Do you find a deep-sea ship harder to handle
- 12 than a laker?
- 13 A. No, it all depends; those 730 feet, they are a
- 14 little bit heavy.
- 15
- 16 MR. R. KNOWLTON SMITH:
- 17 Commissioner:
- 18 Q. I have one or two questions to put to this witness,
- 19 my Lord: You heard the question, did you, that I asked the last witness
- 20 about his preference as between being an employee or a professional
- 21 self-employed pilot. Did you hear that?
- 22 A. Yes.
- 23 Q. You heard his answer?
- 24 A. Yes. It is the same answer with me.
- 25 Q. Do you agree with him?
- 26 A. Yes Sir.
- 27
- 28
- 29
- 30



J.T.F.R. BEAUDET,
Inquiry,
EX. - 82

MR. GASTON ROUSSEAU, President of the
Corporation of St. Lawrence Pilots:

Q. I would like to ask the witness how many moevages
he has done last year, for instance, 1962?

A. Last year, I did 647.

Q. 647 moevages at \$ 50.00, if I figure correctly,
that gives an amount of \$32,350.00. And may I ask how much the company
paid you for your salary last year?

A. \$ 8,400.00.

MR. MAURICE JACQUES,
Counsel for the Commission:

Q. I think it is not fair to leave it go that way. Do
you share in any pension fund?

A. I think you have to be over five years with the
company before you get any pension.

Q. Do you share in any group insurance?

A. Yes Sir.

Q. And do you get paid regularly, regardless the
number of ships you dock?

A. Only so much a month.

Q. If you don't handle any ship, do you get paid?

A. Yes Sir.

THE PRESIDENT:

Q. I understand that you are acting only as a pilot
and not as an agent?



J.T.F.R. BEAUDET,
Inquiry,
EX. - 83

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4 A. Since about a week, I don't work at the office
5 anymore; there is too many ships coming in, and I am doing only
6 pilotage.

7 Q. At slack time, do you double as an agent, also?

8 A. That's correct, I go back in the agency.

9 MR. MAURICE JACQUES,

10 Counsel for the Commission:

11 Q. You have heard what your colleague said about
12 handling ships here; do you agree with him?

13 A.

14
15 THE PRESIDENT:

16 Q. About difficulties?

17 A. Yes.

18 MR. MAURICE JACQUES,

19 Counsel for the Commission:

20 Q. Do you have any further comment to make?

21 A. No, I don't think so.

22 Q. Do you find that the aids to navigation here are
23 adequate?

24 A. Would you ask me the question in French, please.

25 Q. Est-ce que vous trouvez que les aides à la naviga-
26 tion comme les feux, les bouées, sont suffisants ici pour votre travail?

27 A. C'est-à-dire qu'on a un set de range, mais le
28 back-range extinguishes depuis deux ans.

29

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J.T.F.R. BEAUDET,
Inquiry,
EX. - 84

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Q. Est-ce que vous vous êtes plaint à ce sujet-
là?

4

A. Oui. Ça, c'est une bonne aide.

5

Q. Est-ce qu'il le fait que ce feu soit éteint rend
votre travail plus dangereux ou plus difficile?

7

A. Comme de raison, dans le mois de novembre, tous
les hivers, on ne peut pas voir exactement combien loin on est de
la côte.

10

Q. Et ça a quel effet, ça?

11

A. C'est l'effet qu'il faut toujours, autant que
possible, se tenir plus près du quai de Cargill.

13

Q. Do you use radar? Do you make use of radar in
your work?

15

A. Not unless it is a little bit foggy.

16

Q. Do you find that it helps you to a great
extent, in foggy weather?

18

A. Oh, certainly.

19

Q. Do you make use of the echo sounder?

20

A. No.

21

Q. Never.

22

A. No.

23

Q. No use at all for an echo sounder?

24

A. No.

25

26

MR. A. ALEXANDER RENWICK,

27

Commissioner:

28

Q. My Lord, I have two small questions to put to

29

the witness: You mentioned, Sir, that you had the pension after

30

five years' employment - you were eligible for pension after

five years' employment?



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J.T.F.R. BEAUDET,
Inquiry,
EX. - 85

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4 A. Yes.
5 Q. Do you receive twelve months' employment?
6 A.
7 Q. You are on a monthly payroll?
8 A. Yes, monthly payroll.
9 Q. You receive unemployment insurance?
10 A. No, we don't pay any.
11 Q. Do you receive workmen's compensation benefit
12 if you are injured?
13 A. Well, we have got some kind of insurance.
14 Q. Workmen's compensation?
15 A. Yes.
16
17 MR. MAURICE JACQUES,
18 Counsel for the Commission:
19 Q. Now, I have noticed a bridge -aft ship
20 anchored here?
21 A. Yes.
22 Q. This question has bearing to previous hearing
23 In your own experience, do you find a bridge-aft ship more difficult
24 to handle than a standard ship?
25 A. No, I prefer the bridge-aft, myself.
26 Q. You prefer the bridge-aft ship?
27 A. Yes.
28 Q. Why?
29 A. Because you are on the back of the ship, you
30 know what the ship is going to do.



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J.T.F.R. BEAUDET,
Inquiry,
EX. - 86

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



C A N A D A

ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney

ON BOARD S.S. C.D. HOWE, Baie Comeau

8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred sixty three:

ROBERT W. SAVAGE, age 37, transport
and supply Manager at C.B.A.

THE WITNESS:

A. The question was as to whether we would go along with the pilotage authorities. I would just like to have it on record here that Mr. Cummings, my colleague, who was asked this question, was, like the rest of us, completely unprepared for this kind of hearing, and we must apologize for being unprepared, but I must say that C.B.A., when they first started here, had this pilotage service, they had no assistance at all from anyone, and we had to do what we could, and we were very grateful when Cargill arrived with their service, and



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TORONTO, ONTARIO

1
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3 I would like to have it on record that the two pilots or the two docking
4 masters which you have heard here have given Canadian British
5 Aluminum excellent service since they have been employed by this
6 company.
7
8
9
10

11 AND FURTHER DEPONENT SAITH NOT.
12
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14 I, the undersigned, Court Reporter,
15 hereby certify that the above is a true
16 transcript of my shorthand notes.
17

18 G. OSCAR BOISJOLY,
19 Court Reporter.
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ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Baie Comeau,
8:30 P.M.

On the eighteenth day of May, the year
nineteen hundred and sixty three:

THE PRESIDENT:

This will conclude our meeting here in Baie
Comeau.

As you just said, you came here unprepared.
That does not mean that if you find something else that you think should
be helpful to us, that we won't receive it on the way around. We want
to have all the facts and all suggestions you may wish to make.

Therefore, you know that we are going to sit
again in Montreal, in Quebec, in Chicoutimi, and then we are going to
sum up everything in Ottawa sometime at the end of this year.

So, you are welcome to come and to even send
briefs if you want to, and to bring up further evidence in future sittings,



Inquiry,

- 90 -

and any recommendations you wish.

Now, I would like to say also that we are going to have the next sitting at Port Cartier at nine o'clock tomorrow morning, and at Seven Islands at two o'clock in the afternoon.

I wonder whether everybody understood in English; if you want me to repeat in French, I will.

Alors, Messieurs, nous allons maintenant ajourner à demain matin à Port Cartier, à neuf heures.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT
ON BOARD
C.D. HOWE

PORT CARTIER, P.Q.
SEPT ILES, P.Q.
and
AT SEA

VOLUME No.: 2 CDH

DATE:

May 19, 1903

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ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Port Cartier,
9:00 A.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

Mr. MAURICE JACQUES,
Counsel for the Commission:

Gentlemen, I might say that the Commission had
planned to visit Port Cartier only, but owing to circumstances, and
particularly to the fact that we are going to meet other people, we have
decided to hold a hearing similar to those we hold in other cities in
Canada. These hearings take place on the same lines as a court case,
where witnesses are examined by counsel and by any special parties
which assist the pilots and also the representatives of the shipowners,
and also representatives of the company, here.

THE PRESIDENT:

Messieurs, il nous fait plaisir, à la Commission,
d'avoir l'opportunité d'arrêter ici à Port Cartier.



Inquiry,

- 92 -

J'ai un ami de collège qui m'a dit que je rencontrerais ici des gens des plus intéressants de la côte nord. Evidemment, vous avez deviné qui: C'est Jean-Paul Droulet que j'ai rencontré à Ottawa - que j'ai rencontré sur l'avion.

Alors, vous savez le but de l'enquête que nous faisons d'une côte à l'autre du Canada pour définir ce qu'est le pilotage. Alors, nous sommes ici pour trouver les faits, et c'est vous qui les connaissez, et toute aide que vous pourrez nous donner sera appréciée.

Gentlemen, you know what are our tasks given by the Government of Canada. We are a fact finding body, trying to find the facts with regard to pilotage in Canada, to define it, its problems, its reason for being, to try to find out any reason why it exists and to give recommendations based on those facts to the Government of Canada, if a change had to be made.

So, of course, the basic work is to find the facts, and for that, we are going all across Canada.

We have been, so far, on the east board and the west board. We spent a whole month in British Columbia, fifteen days ago we were in Newfoundland, and now we are doing the north shore of the St. Lawrence, and then we will proceed to the Gaspé Peninsula and Baie des Chaleurs, and also New Brunswick and Halifax and North Sydney.

After that, we are going to start the St. Lawrence from Montreal, and then we will proceed on the Great Lakes.

Then, of course, after we have gathered the facts, our work will only start, because then we will have to study and to prepare our recommendations.



Inquiry,

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4 So, the facts are here, we do not know them, and
5 we rely on you people who know them, to help us, and every help you will
6 give us will be much appreciated.

7 Now, you may be surprized at the formality of
8 the meeting. We have found by experience in various places so far, like
9 New Foundland, lately, that the only way to get some work done is by
10 being a little formal. Otherwise, a bit of valuable information is given
11 to one, the other doesn't hear it, it is not on the record, it is not recorded.

12 This way, everybody hears, and if anything is to
13 be added, it can be added by the others.

14 Also, knowing that you are not prepared for such
15 a formal hearing, you will have all the opportunity to prepare anything
16 you may wish to forward to us. If you wish to be heard, you will be
17 informed by newspaper notices, you can meet us for instance in Montreal
18 at the end of June and the beginning of July, we will be three weeks there,
19 and we will return to Montreal also.

20 Then, you could come to see us in Ottawa for our
21 final meeting at the end of December. So, you will see what kind of
22 information we are seeking in the examination counsel is going to conduct
23 before you. We are trying to find out whether there exists on the North
24 Shore of the St. Lawrence, as far as you are concerned, a necessity of
25 piloting. If so, what are the problems.

26 And I know you are looking towards the future,
27 and we know the North Shore of the St. Lawrence is going to have a very
28 great future. Should we be prepared for that in terms of pilotage, -
29
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Inquiry,
- 94 -

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3 because this is our tasks here - should we be prepared, or should we
4 let it go the way pilotage has been going everywhere: just to get into
5 being, ap hazardly, without any order, and then, you have as many systems
6 as there are piloting stations around Canada.

7 These are questions that we would like to find,
8 and for that, we need your cooperation, you who are here and interested
9 in the future of this country.

10
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13 I, the undersigned, Court Reporter,
14 hereby certify that the above is a
15 true transcript of my shorthand notes.

16
17 G. OS CAR BOISJOLY,
18 Court Reporter.
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ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Port Cartier

9:00 A.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

LLOYD G. SEVERSON, age 49, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. Your occupation, please?

A. President of Quebec Cartier Mining Co.

Q. How long have you been in Port Cartier, Sir?

A. I have been a resident here for three years.

Q. Was that the start of your company's operations
here?

A. No, the company operations started in 1957 -
perhaps, it depends upon what you pick as a starting point; we actually



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L.G. SEVERSON,
Inquiry,
EX. - 96

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4 started construction and the harbour in 1955, I believe, but we had
5 other construction work going on, starting from 1958.

6 Q. We are given to understand that Port Cartier
7 is a pilot port?

8 A. That's right, Sir.

9 Q. And all the harbour facilities we have seen coming
10 in are owned by your company?

11 A. That's right.

12 Q. And this was built in 1959?

13 A. We had work going on before that, but of an
14 engineering nature; but in the harbour, the construction of it started
15 in 1959 and was completed about the middle of 1961.

16 Q. And when did you receive your first ship here?

17 A. July 5th, I think, in 1961.

18 Q. Had the Government contributed in any way to
19 the construction of this harbour or the aids to navigation?

20 A. In designing this harbour, we worked with the
21 National Research Council, they built a model of the preliminary design,
22 and that we have made and run extensive model tests for about a year, I
23 think it was, before we arrived at the final design and the way it is now
24 built; and the National Research Council has set up an installation,
25 naturally, to ascertain whether the model rather turns out to be as we
26 are actually ...

27 Q. They are testing their own...



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TORONTO, ONTARIO

L.G. SEVERSON,
Inquiry,
EX. - 97

A. They are testing their own work, research, yes.

Q. And when this harbour was built, was any thought given to the handling of large vessels, here?

A. Oh yes, of course, that was the primary purpose.

The primary purpose of the harbour is to haul iron ore. It is part of this overall project.

Q. And when the harbour was built, was any thought given to the handling of these large ships without tug boats or without docking masters?

A. We always intended that there would be tugs and pilots.

Q. Now, Sir, there is one pilot here, I believe, and he is an employee of your company?

A. That's right.

Q. Is Mr. Pilcher in your employ since 1961, since the harbour opened?

A. I will have to ask. Certainly, he wasn't here when the harbour opened- he came in with the second ship.

Q. Would you tell the Commission why your company has decided to have a pilot or docking master in this place?

A. Well, the movement of the ships with precision, speed is required, of course, because any delay is very expensive.

Secondly, we don't want the ships damaged, or we don't want damage in the harbour.

So, I think it is to be able to move the ships safely and fast.



L.G. SEVERSON,
Inquiry,
EX. - 98

We never thought it could be really done in any other way.

I might add that the shape of the harbour makes it so that a big vessel requires some help. Even the lake ships require tug assistance to get around the corner.

Of course, the location on this coast and in this gulf dictated that the harbour be in this shape.

So, in order to get the ship around and docked, either here or more particularly on the ore loading site which is across the basin, certainly could not be done without tugs or pilots safely or with any great amount of speed.

Q. Now, would you have - I am sure you would - records of the movement of ships in Port Cartier, here?

A. Of course, we have records.

Q. Would you be able to supply the Commission, on a monthly basis, for last year, with the names of the ships which have called, their net and registered tonnage, and also their destination?

That could be done?

A. Sure, it could.

Q. Now, do you go so far as to make the use of a docking master compulsory for all ships entering the harbour?

A. Yes, I believe, for all above 300 feet in length. We have made the distinction at 300 feet. Anything over 300 feet, it is compulsory to have a pilot and to use tugs.

This I can give you, this advice to vessels, that is the one for over 300 feet.



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L.G. SEVERSON,
Inquiry,
EX. - 99

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4 Q. In preparing the statement which I have just
5 requested, would you be able to show the number of vessels above
6 300 and those below 300?

7 A. Yes.

8 Q. And at the same time, would you be able to show
9 on that, vessels below 300 which have taken a docking master and those
10 which have not taken a docking master?

11 A. By "docking master", you mean: pilot?

12 Q. Pilot?

13 A. Yes Sir.

14 Q. Now, we have noticed various aids to navigation
15 coming in. Are those navigation aids maintained by the company?

16 A. The navigation aids are maintained by the
17 company; the buoy outside is supplied by the Department of Transport.

18 Q. And does the Department of Transport maintain
19 the buoy?

20 A. Yes.

21 Q. So, the only aids to navigation which your company
22 maintains would be the two lights, flashing red and white lights, at the
23 entrance, and the range lights?

24 A. That's right.

25 Q. When you installed these lights, did you seek the
26 advice of any mariner or of your pilot?

27 A. We sought advice from anybody that we could get
28 advice from, including the Department of Transport and shipping companies
29 which we knew would be calling here; but I would think we followed more
30



L.G. SEVERSON,
Inquiry,
EX. - 100

particularly the advice we got from the Department of Transport, for the design and installation of them.

Q. As regards the choice of your pilot, was any thought given to request a pilot from the various pilots associations in the St. Lawrence, or perhaps the Great Lakes, to supply you with a man?

A. Well, I don't know that, Sir. I think that when we sought a pilot, we went through the channels that you would normally go through to hire a qualified person in any particular field, advice of people particularly skilled in that business, but without looking at the record, I would doubt that we went specifically to a pilot association or anything.

Q. You have no recollection of that?

A. I have no recollection.

Q. Do you know whether any of the pilots associations has ever approached your company as regards pilotage here?

A. I don't know; I am not aware of it.

Q. Now, this being a private harbour, could you tell us whether it is also opened to public traffic in general, apart from your own traffic, do you have any other traffic?

A. Well, there isn't any other traffic except traffic that might be incidental to our business.

Ships have, on occasion, stopped here for bunker, bunker ships, for fuel oil, petroleum fuel - we have no coal bunking facilities, but yes, we permit them to come in and bunker, as far as any incidental or other traffic is concerned, it just does not exist.

Q. Do you, when these strangers, as it were, come in to Port Cartier, do you make any harbour charges or any other charges



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L.G. SEVERSON,
Inquiry,
EX. - 101

for the use of your harbour facilities?

A. A ship calling at this port, over 300 feet, pays,
I think it is.....

Q. \$ 650.00, I think I saw?

A. ...\$ 650.00.

Q. And that applies regardless of the reason for the
ship calling in Port Cartier?

A. For the ones under 300 feet, we do not charge
that fee.

Q. Do you know if there is a special fee for those
under 300 feet?

A. I don't think we charge any fee.

Under 300 feet, it is broken down into whatever
services they require.

Q. Now, Sir, how much do you pay the pilot a year
or a month?

A.We normally don't disclose the salary of our
management and personnel.

Q. Is he management and personnel?

A.

THE PRESIDENT:

It is all right.

MR. MAURICE JACQUES,

Counsel for the Commission:



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L.G. SEVERSON,
Inquiry,
EX. - 102

Q. Does he participate in any pension plan?

A. We have a pension plan in the company, and I would assume that he participates, without precisely knowing.

Q. And you wouldn't know ...

A. Our pension plan requires, after a period of time, participation as a condition of employment.

Q. Does he also benefit from Unemployment Insurance?

A.I would assume so.

Q. Workmen's Compensation?

A. Sure.

Q. And does he participate in any other welfare plan?

A. We have an insurance program.

Q. Group insurance?

A. Group insurance, yes.

Q. Perhaps one of these gentlemen would be in a better position to answer that?

A. We have a savings plan; he is included in that.

Q. Any health insurance? Hospitalization insurance?

A. Yes, we have a hospitalization plan.

Q. Without disclosing all this information in public, I would appreciate it if you provided the Commission with a statement of the various benefits granted to your pilot?

A. Benefits...?

Q. Fringe benefits?

A. I might say that the benefits that apply to him apply to others in the company.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L.G. SEVERSON,
Inquiry,
EX. - 103

There is no special treatment for the pilot, let us put it that way, over the treatment of other people in the company.

Q. You might also state the salary, and this information will be kept confidential by the Commission.

THE PRESIDENT:

Or we might say that at a later stage, should we find it would be helpful to us to have the salary, we will call upon you and ask you to give us this information in a confidential manner, but we do see it is not easy to disclose it.

A. We are very reluctant to disclose it.

Q. That is why I say that only if we think it is necessary, and in such a case, we will write to you and ask you to disclose it, and it will be treated as very confidential.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Now, Sir, do you foresee in the near future any increase in the traffic at Port Cartier?

A.Not in the immediate future.

Q. And in the near future?

A. Yes, I am sure there will be an increase in the future. When it will be, and how much, I could not say.

Q. Has there ever been any accident here in docking or undocking ships or leaving the harbour?



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L.G. SEVERSON,
Inquiry,
EX. - 104

A. I think we can safely say we haven't scratched a ship in this harbour yet.

Q. Have you ever been approached by the Department of Transport as regards the creation of a pilotage district here in Port Cartier?

A. The subject has never come up, to my knowledge.

Q. Have you ever given any thought to that subject?

A. No.

Q. Without going into any lengthy discussion, would you state your views on that? Would your company favour or be against the creation of a pilotage district such as it exists in the rest of Canada, either under the Ministry of Transport or under a local commission?

A. We think it is very satisfactory, from our point of view, as we now have it, and I think we would prefer not to change.

Q. You would prefer not to change?

A. Right.

R. KNOWLTON SMITH,

Commissioner:

Q. My Lord, I would have one question to put this witness: First of all, I would like to put a question on the quantity of ore shipped for last year, because I have here, I think, 1961, 1,000,000 tons?

A. Approximately, I think it was a million two.

Q. Now, what about the year 1962?



L.G. SEVERSON,
Inquiry,
EX. - 105

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4 A. 1962 was four millions seven odd.

5 Q. One other question with regard to liability of
6 the company in the event of a casualty arising out of a pilot's negligence
7 or lack of skill; I understand that the company assumes no liability
8 whatsoever for damages which result from the negligence or lack of
9 skill of pilot.

10 A. That's right.

11 Q. And one further question: Mr. Jacques brought
12 out the question of - I think you mentioned it - piloting and the restricted
13 confines and possibly dangerous waters around this part. Are they much
14 out of the ordinary or what you would usually find in every port of this
15 character?

16 A. I don't think they are any thing unusual as navigation
17 goes; the difference would be perhaps the size of the ships.

18 Q. And I think you will agree that it requires the
19 skill of a navigator who has had experience and training in local waters
20 to safely navigate these very large and expensive crafts?

21 A. That's right.

22
23
24 AND FURTHER DEPONENT SAITH NOT.

25
26 Mr. MAURICE JACQUES,
27 Counsel for the Commission:
28
29
30



Inquiry,
- 106 -

I wish to file as exhibit 291 a document entitled:
Quebec Cartier Mining Company Vessel Agency, advice to vessels
more than 300 feet in length bound for Port Cartier, and may I, at
this point, draw the Commission's attention to the last page of this
document which contains the standard towing conditions which were
mentioned during yesterday's hearing.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



1 ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

2
3
4 PRESENT: HONORABLE YVES BERNIER, J.S.C.

5 Commissioners:

6 ROBERT KNOWLTON SMITH, Esq.

7 HAROLD ALEXANDER RENWICK, Esq.

8 Mr. MAURICE JACQUES, Attorney.

9
10 ON BOARD S.S. D.C. HOWE, Port Cartier,
11 9:00 A.M.

12
13 On the nineteenth day of May, the year
14 nineteen hundred and sixty three:

15
16 I. MEALEY-CLARK, being duly sworn on the
17 Holy Evangelists, doth depose and say:

18
19 EXAMINED BY MR. MAURICE JACQUES,

20 Counsel for the Commission:

21 Q. What is your occupation with the company.

22 A. I am the vessel agent at Port Cartier.

23 Q. How long have you been in that position?

24 A. Since the harbour went into operation, on the 5th.
25 of July 1961. Previous to that, I was employed with the company since
26 1959.

27 Q. Had you had any experience at sea prior to occupying
28 this position?

29

30



I. MEALEY-CLARK,
Inquiry,
EX. - 108

A. Yes, I hold a master's certificate, and I was 25 years at sea.

Q. And what parts of the world did you trade?

A. I have traded practically in all parts of the world. My later company was Saguenay Shipping, on which I was for 12 years, 10 of which I was in command.

Q. Did you take any active participation in setting up the pilotage system here in Port Cartier?

A. Well, I was employed here before the harbour opened, and I assisted to the best of my knowledge when it was required.

Q. Now, would you tell us what type of vessel calls here?

A. We have had lake vessels, we have had coasters, from small coasters up to 300 feet in length, Clark Steamship vessels, right down to small world coasters; we have the lake ships ranging from the old chanalers right up to the new one, the Hamiltonian, 730 feet.

Q. What would be the destination of these ships, the majority?

A. The majority of the deep-sea vessels have been going down to Philadelphia with the ore, and the lakers, several parts of the lakes where iron ore is delivered.

Q. And what would be the tonnage of these deep-sea vessels which call here?

A. The dead weight tonnage of the largest vessels are 60,000 tons.



I. MEALEY-CLARK,
Inquiry,
EX. - 109

Q. And the majority of the vessels?

A. The majority of the vessels on the deep-sea class, in this port, average around 50,000 tons.

Q. 50,000 tons dead weight?

A. Yes.

Q. And how many ships would you handle in one year? Say, last year?

A. Last year, we handled 125 ships.

Q. 125 ships?

A. Approximately.

Q. And out of these ships, how many would be over 300 feet in length?

A. That was all over 300 feet in length.

Q. All over 300 feet in length?

A. There was three odd ships under 300 feet in length which we handled also last year.

Q. That's all the traffic that you handled last year?

A. Yes.

Q. 128 ships, all told.

A. Approximately.

Q. Do you pilot small coasting vessels, small Clark Steamship vessels?

A. Not in that category, no.

Q. How many of these small coasters would you have?

A. About two a week.



I. MEALEY-CLARK,
Inquiry,
EX. - 110

Q. That many.

A. Yes.

Q. Would you give the Commission the rule applicable to vessels under 300 feet, at Port Cartier?

A. The vessels under 300 feet in length have been considered by Quebec Cartier Mining Company to be exempt of compulsory pilotage.

However, should they desire to have the services of any of the facilities what we have at the port, such as pilotage, tugs, linesmen, we will give them that service at a charge, on the basis of what it actually costs us.

Q. You figure it out for every ship?

A. That's right, it is broken down by the accounting department, and we charge them accordingly.

Q. Would you supply us with this scale of prices? Do you have it here with you?

A. I haven't it with me, but the company may supply it.

Q. Now, in your experience, last year, did many of these ships under 300 feet take pilots?

A. No, only ships which have never been into this port before, small deep-sea vessels whose masters are not familiar with the port and know that there is a pilot available, they will always avail themselves of the service, for safe navigation into the port.

Should we think that there is a ship coming here, that is not familiar with the port, we could also, as our prerogative



I. MEALEY-CLARK,
Inquiry,
EX. - 111

send the pilot and tug, and whatever is necessary out to the vessel.

This procedure is mainly to assist the vessel in coming in here safely and not causing any damage so our own boats don't suffer thereby.

Q. It is a very wise precaution. Would these small vessels under 300 feet in length use the tug for docking or undocking, without using the docking master or pilot?

A. Not normally, no.

Q. Does it happen?

A. No.

Q. Do I take it then...

A. The width of the dock is 450 feet from the north wall to the south wall, and that is one of the considerations for the 300-foot mark, as the vessel can turn on the dock with his nose to the dock, it can turn around in comparative safety and without damaging.

Q. I am right in assuming then that the service of the tug and the service of the pilot always go together?

A. No, you could have one or the other.

Q. You could have one or the other?

A. For the vessels under 300 feet in length.

Q. But for vessels over 300 feet?

A. For vessels over 300 feet, the pilotage is compulsory, as laid down by the company regulations.

Q. With no exception?



I. MEALEY-CLARK,
Inquiry,
EX. - 112

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4 A. With no exception.

5 Q. Do you have exceptions for naval vessels coming
6 in, if any were to come in?

7 A. Well, naval vessels would use the pilot.

8 We haven't have an opportunity yet of dealing with
9 the situation, and I am sure that it would receive a special consideration,
10 should the case arise.

11 Q. Now, when this ship came in this morning, the
12 C.D. HOWE, I noticed we had a pilot on board. Do I take it there is
13 no exception for government ships?

14 A. No, we sent the pilot out, I spoke to Captain Caron
15 yesterday and informed him that we would have the pilot available to
16 assist this vessel into the port.

17 Q. Now, what about if a ship came in without a pilot,
18 would you assess the ship for the \$ 650.00 which is stated in your
19 document exhibit 29I.

20 A. Should she be over 300 feet in length, yes.

21 Q. And if she came in without a pilot, would you assess
22 her just the same?

23 A. Yes, the assessment of the company fee is for over
24 300 feet in length, it is an all-inclusive charge.

25 MR. ROBERT KNOWLTON SMITH,
26 Commissioner:

27 Q. I think, for the record, there should be some
28
29
30



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TORONTO, ONTARIO

I. MEALEY-CLARK,
Inquiry,
EX. - 113

information as to the number of employees the company have on their payroll today. Perhaps, this witness is not in a position to answer that.

And also I think it would be of some interest, to me at least, to know the population of Port Cartier.

MR. L.G. SEVERSON:

We have about 2,200 people on our payroll, the larger portion of which will be at Gagnon, which is approximately 200 miles north of here; and Port Cartier has a population of about 5,000

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



C A N A D A

ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Port Cartier,
9:00 A.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

RICHARD FREDERIC PILCHER, age 53, being
duly sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. What is your occupation?

A. Harbour pilot.

Q. How long have you been in that occupation?

A. Since August 1961.

Q. Prior to becoming a harbour pilot, did you have
any sea experience?

A. Yes, since 1925.

Q. Do you hold any certificate?



R. F. PILCHER,
Inquiry,
EX. - 115

A. Master mariner.

Q. When were you granted your master mariner's certificate?

A. 1937.

Q. Where?

A. Singapore.

Q. Were you ever in command of any ship before becoming a harbour pilot?

A. About ten or eleven years.

Q. Ten or eleven years. On what type of ship?

A. Coast types.

Q. What would be the largest one and the smallest one?

A. 28,000, and the smallest, about 400 tons.

Q. And the majority of the ships which you commanded, what tonnage were they?

A. The majority of them?

Q. Yes.

A. 15,000.

Q. Where did you trade?

A. The worldwide.

Q. Did you go to any particular place more often than others?

A. No, I wouldn't say so; perhaps down the southern hemisphere, Australia.



R. F. PILCHER,
Inquiry,
EX. - 116

Q. Now, Sir, when you take a ship in, where do you board her with respect to the buoy outside about a mile off the entrance?

A. We meet them off the buoy; if the vessel comes from the east, I usually go down to the east so as not to foul up, about the same as I went for you past the buoy this morning.

Q. And do you use the tug to go and board the vessel?

A. Yes, we use the tug to board the vessel.

Q. And then, you take her in?

A. Yes.

Q. What do you do when you are on the bridge of a ship taking her in?

A. I would say that it is normal to take over the ship from the master and give direct orders to the wheel.

Q. I am not asking you what is normal, but what you do?

A. You bring the vessel into port.

Q. To whom do you give orders?

A. It depends on who is at the wheel; if the man is a foreigner, then the officer relays the orders to the man at the wheel; otherwise, I give the man of the wheel his instructions by the master.

Q. By the master?

A. The master is responsible for his ship.

Q. In practice, do you always tell the master what you do?



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TORONTO, ONTARIO

R. F. PILCHER,
Inquiry,
EX. - 117

A. I give the orders in an audible voice so that all can hear it on the bridge.

If the master wishes to re-phrase my orders, or comment them, he can do so.

Q. Does he do so?

A. I haven't had that yet; I have had it on my own ship when I was master.

Q. You give your orders to the wheel or to the engineer room?

A. That's correct.

Q. Do you give these orders to just anyone, or to someone in particular?

A. They are given usually in a loud voice so that everyone can hear. The master of the ship, perhaps, will relay them or comment.

Q. When you board a ship, do you inquire what the routine is?

A. I usually ask the master what the routine is for his ship, whether he wishes me to give the instructions or to take the ship in himself with my advice directly to him.

Q. What happens more often?

A. They usually say: "Go ahead".

Q. So, you are in full charge of the navigation?

A. Unless the master thinks the vessel is getting into a dangerous position and countermands my instructions.



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R.F. PILCHER,
Inquiry,
EX. - 118

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Q. Has it happened to you?

A. It has not happened to me, no.

Q. To all practical intents and purposes, you board a ship and take over the navigation of the ship?

A. Correct.

Q. You give orders to the tug?

A. Correct.

Q. And you give the helms or engine orders?

A. Correct.

Q. Now, have you ever had any accident here?

A. No, we haven't had any accident in this port.

Q. Now, I have noticed there is a very sharp bend coming into the harbour; would you tell us the procedure for bringing in the vessel over this?

A. This morning, the vessel, for instance, we put in clear passing west.

Our usual operation with the larger vessels is to bring them in stern first, that is, we cut the buoy on the north-eastern part of the harbour.

Q. Would you indicate that on a sketch annexed to exhibit 291 with the letter X. Carry on, please?

A. And then, by means of a tug, we bring her around and back the vessel into the loading berth.

Q. And how long does it take you on the average to take a ship in?



R. F. PILCHER,
Inquiry,
EX. - 119

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4 A. The larger ones will take about an hour and a
5 quarter to an hour and a half.

6 Q. And the small ones?

7 A. The small ones, it depends on weather conditions;
8 a small one would be as fast as 40 minutes.

9 Q. Taking ships out, how do you proceed?

10 A. Taking ships out, the larger vessels, we usually
11 have two tugs for the lake vessels, sometimes we have one tug, we
12 are guided by conditions here and the safety factor, for the larger
13 vessels, we always have two tugs, and one springs the stern off the
14 wharf, and then put the bow out by the forward tug and set down the
15 harbour.

16 When the vessel is sufficiently far off the dock,
17 the tug which is on the starboard bow goes around to the port
18 so that she can then push the nose around the corner, and the other
19 one pushes the stern out.

20 Q. So, you turn the ship around with the two tugs?

21 A. With the two tugs and the engines.

22 Q. You never use anchors?

23 A. No, the bottom here is not conducive to anchoring;
24 it is flat rock.

25 Q. Is the depth of the water in the harbour any problem
26 in respect to pilotage?

27 A. Not with the class of vessel we have ; we have 61
28 feet of low water.
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TORONTO, ONTARIO

R. F. PILCHER,
Inquiry,
EX. - 120

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- 4 Q. And what would be the deepest draft you handle?
- 5 A. The deepest draft would be about 37.6, 38 feet.
- 6 Q. Now, is there any current in the harbour or at the
- 7 head of the harbour?
- 8 A. Yes, we have a current.
- 9 Q. What rate, what direction?
- 10 A. I would say it goes from about 0 to about 1 3/4
- 11 knots.
- 12 Q. In what direction?
- 13 A. It runs both ways; normally to the westward.
- 14 Q. Normally to the westward. Is it affected by tidal
- 15 movement?
- 16 A. Yes, by tidal movement and wind.
- 17 Q. How much is tidal range?
- 18 A. Tidal range is about 11.6 to .8
- 19 Q. Would current and tide be a hazard in handling
- 20 ships?
- 21 A. Would what?
- 22 Q. Would current and tide be a hazard in handling
- 23 ships here?
- 24 A. It is a hazard, but not anywhere unusual.
- 25 Q. Do you get much fog, here?
- 26 A. The percentage is very small.
- 27 Q. Very small?
- 28 A. Yes.
- 29
- 30



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TORONTO, ONTARIO

R.F. PILCHER,
Inquiry,
EX. - 121

Q. Much rain?

A. We get quite a bit of rain.

Q. Today is an example?

A. Today is an example, yes.

Q. Would you make use of radar in coming in or going out?

A. We have made use of radar in fog, yes.

Q. Do you find that it helps you considerably in manoeuvring ships?

A. That's correct.

Q. Do you find that radar are a reliable aid to navigation?

A.Radar is reliable, yes, in my opinion, it depends on the operator as to how reliable and what you get out of it.

Q. In your experience, would you say that the majority of radar are operated in a competent fashion by the ship officers?

A. Yes, I would.

MR. ROBERT KNOWLTON SMITH,

Commissioner:

Q. Captain, I would like to ask you a question: The previous pilots we have come in contact with seemed to prefer the status of being self-employed, would prefer pilotage as a profession rather than being the employee of a company, a municipality or any other authority; do you have any views on that?



R.F. PILCHER,
Inquiry,
EX. - 122

A. No, I haven't any particular views on that at all.

Q. I was just following your description of docking a ship, and I had in mind the Hamiltonian with its 730 feet, and I can see that you have not much space to spare when you turn it in the entrance of the harbour. Would that be the largest you handled?

A. The largest is 796 feet long.

MR. MAURICE JACQUES,
Counsel for the Commission:

Q. Have you ever handled bridge-aft ships?

A. Yes.

Q. Have you handled a great many of them?

A. No, not a great many.

Q. Have you handled any here in Port Cartier?

A. Aft.....Just at that particular moment, I can't think I did handle a bridge aft, no.

Q. In your experience as a ship master, do you find that their particular structure increases the difficulties of navigation and handling of the ship?

A. Yes, that's correct, the picture of the vessel is different, one has to change one's judgment; a vessel with the bridge aft, there is more forward, so your judging must be based from where you are, it has to be judged from there.

If you are standing aft, you have all the front of the ship, you have all the vessel in front of you, so you have to do your thinking before you get to the corner.



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TORONTO, ONTARIO

R. F. PILCHER,
Inquiry,
EX. - 123

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3 But if you are up on a laker with the bow forward,
4 you don't wait until you get way clear passed the corner, you turn just
5 as you are about abreast of it.

6 The bridge in the centre, again, it is a different
7 type.

8 Q. Am I right in stating then that it is a matter of
9 getting used to the structure of the ship?

10 A. You could say that, yes, you could say that.

11 You could liken it to a car, like a Austin 7 and a
12 Cadillac in a garage; you can get either one in there, but you have to
13 be a little bit more careful with the Cadillac to do it.

14 Q. Do you find that the centre post mast and other
15 gear forward of the ship impede your visibility to such a point that
16 handling such a ship is dangerous?

17 A. No, I wouldn't say that, no.

18 Q. When you take a ship in, which position do you
19 favour? Do you stand in the centre of the wheel house...?

20 A. It depends on the conditions where you stand.

21 Q. What governs you then, usually?

22 A.If the ship is going to drift in a certain direction
23 due to elements, you can stand in a position to see the hazards as they
24 come up, in their order.

25 Q. If it drifts on port side, you stand on port side?

26 A. That's right.

27 Q. Do you do much work at night?
28
29
30



R. F. PILCHER,
Inquiry,
EX. - 124

A. Yes.

Q. Are you able to say what portion of your work is done at night?

A. It is hard to say, but I would say perhaps about fifty-fifty.

Q. Do you find the aids in navigation which exist here in Port Cartier are adequate?

A. Yes, I think they are very well equipped with the navigational equipment they have here.

Q. Without stating your salary, I forgot to ask your president: Do you have any vacation?

A. Vacation, yes.

Q. How many days a year?

A. I have the normal company vacation scale.

Q. Which would be what? Fifteen days? A month?

A. It starts with two weeks and then goes on as the years go back.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



Inquiry,
- 125 -

MR. MAURICE JACQUES,
Counsel for the Commission:

This concludes the evidence I wanted to put before
the Commission.

If anyone wishes to ask any question or to add any
further information, please do so.

L.G. SEVERSON:

A. We designed thir harbour also with the intention -
the harbour and all the other parts of the project to operate on a twelve
months' basis, the idea being that in the Wintertime we could ship,
and we have been successful through two Winters in shipping during the
Winter, as a destination: Philadelphia, of course.

Some of the ships that call here, the larger ones,
have been reinforced for ice so that they can navigate the gulf of St.
Lawrence without ice-breaker help. Now, that doesn't mean they don't
sometimes have ice-breaker assistance, but as a normal thing in the
past, Winter navigation, these thips navigate the gulf pretty much without
assistance.

The ice in the harbour, we have a system of two
sets of air pipes on the floor of the harbour, and we use this in
Wintertime to bring the warm water up from the bottom and keep the
wharf free of ice.

We find, by manoeuvring the tugs around in the harbou
when ice does form, it is a simple matter to keep it substantially ice-free.



MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Keep the water moving?

A. Keep the water moving, yes.

Q. But do you find that the system of air bulbs is practical and efficient?

A. It has been working for two years; that's all I can say.

THE PRESIDENT:

Q. In this harbour here, I don't think you have any fresh water coming in from the River?

A. It is true, and in the Wintertime, the prevailing winds are from the North, and the ice is blown more to the South Shore.

Q. And there is not too much current?

A. About two knots, as the Captain said.

MR. Q. HAMELIN:

Q. Since it is a rule of the company that a pilot is compulsory on board ships, in case of damage, is the company held liable?

A. No.

THE PRESIDENT:

This is in exhibit 291, we have it here with regards to pilotage, there is a proviso for that.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

Inquiry,
- 127 -

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MR. MAURICE JACQUES,

Counsel for the Commission:

Under the heading: Pilotage Conditions.

THE PRESIDENT:

In paragraph III.

We will now adjourn to Seven Islands at two o'clock
this afternoon.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



COMMISSION ROYALE D'ENQUETE SUR LE PILOTAGE MARITIME.

PRESENTS: L'HONORABLE YVES BERNIER, J.C.S.

Commissaires:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Me MAURICE JACQUES, Procureur.

A BORD DU S.S. C.D. HOWE, Sept-Iles,

3:00 P.M.

Le dix-neuvième jour de mai, l'an mil neuf cent
soixante et trois:

LE PRESIDENT:

Messieurs, il nous fait plaisir d'arrêter ici à
Sept-Iles, un des ports très importants de la Côte Nord du St-Laurent.

Vous savez qui nous sommes, mais permettez-moi
de nous présenter: Nous sommes la Commission Royale d'Enquête sur
le pilotage, et nous avons été chargés par le Gouvernement du Canada
de définir ce qu'est le pilotage à travers le Canada, tant sur la côte du
Pacifique que sur la côte de l'Atlantique; de faire un rapport sur ça, et
aussi de faire nos recommandations.

Alors, c'est ce que nous sommes. Nous sommes,
comme on appelle en anglais "a fact finding body" nous sommes ici exclu-
sivement pour trouver les faits, pour trouver ce que c'est.



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2
3 Je dois vous dire aussi ce que nous ne sommes pas;
4 nous ne sommes pas une émanation, si je peux dire, du Département des
5 Transports. Nous sommes quelque chose de complètement différent.
6 Nous sommes pratiquement un ministère différent; nous sommes chargés
7 par le Gouvernement du Canada de faire une enquête, et non pas par le
8 Département.

9 Alors, nous sommes ici. Ce que nous avons fait
10 actuellement, nous avons commencé à siéger, nous avons eu des séances
11 à Ottawa, depuis le mois de février, et depuis ce temps-là, nous avons
12 fait une partie des Maritimes, Charlottetown et St-Jean, Nouveau-
13 Brunswick, nous avons fait toute la côte du Pacifique de Prince-Rupert
14 à Victoria.

15 Il y a environ trois semaines, nous étions à Terre-
16 Neuve. Maintenant, nous sommes sur la Côte Nord, et de cette façon,
17 nous allons continuer dans la Baie des Chaleurs et nous allons continuer
18 après ça jusqu'à Halifax et North Sidney, pour reprendre ensuite le St-
19 Laurent proprement dit, avec la Canalisation et les Grands Lacs.

20 Une fois que ces séances publiques seront terminées,
21 notre tâche va commencer: Ca va être l'étude, et finalement la rédaction
22 de notre rapport.

23 Alors, notre rôle, ici, en venant vous voir, évidem-
24 ment, c'est de vous connaître, et c'est aussi pour avoir des faits; et
25 la meilleure manière de connaître une chose, d'avoir des faits, c'est de
26 rencontrer les gens qui vivent cette situation. Par conséquent, vous pou-
27 vez voir jusqu'à quel point nous comptons sur vous pour nous renseigner
28 sur ce qui se passe ici, sur ce qu'est le pilotage chez vous.

29 Maintenant, vous allez trouver que cette séance va
30



Enquête,

- 130 -

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4 peut-être vous surprendre en ce sens qu'elle est un peu une séance
5 solennelle. La raison, c'est qu'on a trouvé que si nous ne travaillons
6 pas comme ça, il y avait de la confusion, les gens ne savaient pas exac-
7 tement où on allait, ils n'étaient pas au courant des renseignements que
8 nous avons obtenus. Alors, nous avons trouvé, par expérience, que
9 c'était mieux de faire une séance régulière, et nous comprenons que
10 vous n'êtes peut-être pas préparés pour une telle séance, et dans les
11 circonstances, si vous trouvez que vous avez autre chose à dire plus
12 tard qui pourrait nous être utile, s'il-vous-plaît, communiquez avec
13 nous, donnez-nous ces renseignements additionnels. Vous pouvez nous
14 écrire, vous pouvez venir à nos prochaines séances, vous pouvez nous
15 rencontrer à Montréal ou à Québec ou à Chicoutimi, ou vous pourrez
16 venir à Ottawa quand nous aurons d'autres séances, les dernières séances
17 à Ottawa. Envoyez-nous des suggestions, tout sera bienvenu, toute aide
18 que vous pourriez nous donner va être grandement utile.

19 Well, as I have just explained in French, what we
20 are: We are the Royal Commission on Pilotage, and we are a fact
21 finding body, and we have been charged by the Government of Canada to
22 define what is pilotage in Canada.

23 As you know, pilotage is much older than most of
24 our institutions. It even occurred prior to our institutions here; it was
25 one of the prerequisite organizations, if I can say.

26 So, therefore, pilotage sprung around out of various
27 places, and you may find all different kinds of pilotage; it varies from
28 one place to the other.
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Inquiry,
- 131 -

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3 That is why we were sent around: to find out what
4 is pilotage in Canada, and we are trying to get the facts on this. We have
5 seen that pilotage is different on the West coast from the East coast, and
6 different in river and harbour pilotage.

7 The only way for us to find the facts is to come to
8 you people who are living with those facts, who are making them. So,
9 your help and all the information you may give us will be appreciated.

10 I just told you what we are, and just a word of what
11 we are not: We are not the Department of Transport, we are altogether
12 different from the Department of Transport, and the Department is
13 represented here by an officer, Captain Slocombe. We are a commission
14 set up by the Government, and we are obliged to report to the Government.

15 Now, you may be surprized by the formality of
16 this setting; but we have found by experience that if we don't make it
17 formal, that we have difficulty in getting everything in the record. This
18 way, whatever is reported, everybody knows about it, and if you feel
19 something else has to be added, it is much more easy.

20 We understand you may not be prepared to give all
21 the information you have, and therefore we would appreciate if you could
22 complete by sending letters or suggestions or by meeting us at other
23 places where we will be like Montreal, Quebec, Chicoutimi or in Ottawa
24 where we are going to sum up and have final sittings at the end of December
25 from what we can see. Therefore, we would appreciate receiving all
26 the information you could give us, and any help will be much appreciated.

27 Now, I will ask Counsel to proceed with the
28 investigation.
29
30

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: THE HONOURABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENVICK, Esq.

Mr. MAURICE JACQUES, Solicitor

ON BOARD S.S. C.D. HOWE, SEVEN ISLANDS, 3:00 P.M.

On May 19, 1963, appeared as a witness:

ETIENNE PAQUET, 56 years of age, who, being duly sworn on the Holy Bible, testifies as follows:

QUESTIONED by Mr. MAURICE JACQUES,

On behalf of the Commission:

Q. What is your occupation?

A. I have many occupations; I am harbour master at Seven Islands and bailiff of the Superior Court; furthermore,
. 133 I am the manager of a -/- television cable firm.

Q. We are particularly interested in your duties as harbour master.

I should like to file now as exhibit 292 chart 1212 Cape Whittle to Bic, and as 293 chart 1214, Bay of Seven Islands.

Q. Since when are you harbour master at Seven Islands, Mr. Paquet?

A. Since September 1st, 1962.

Q. Since September 1st, 1962. Before September 1st, 1962, was the harbour of Seven Islands a public harbour with a harbour master?

A. No, sir, not as far as I know.

P. 133
Contd.

Q. Not as far as you know?

A. No, sir.

Q. Can you describe for the benefit of the Commission the public and private wharves which exist presently at Seven Islands?

A. In the Bay of Seven Islands, there is first of all the large Iron Ore wharf, this wharf.

Q. How is that wharf called?

P. 134

Q. The Pointe-aux-Basques wharf. -/- Then there is the other Federal government wharf which is called the wharf of "la rue Monseigneur Blanche". Then there is another small wharf in front of the church, but it bears no definite name.

Q. Among those, which are the private and public wharves?

A. The Iron Ore wharves are private wharves.

Q. And all the others?

A. They are public wharves, government wharves.

Q. Did you keep records of entries and exits of ships at Seven Islands?

A. No, sir, I could not. I recorded those concerning which I collected the harbour dues, but I have no other records.

Q. Your duties as harbour master include the direction of maritime traffic in the harbour of Seven Islands?

A. In the harbour. I would also like to add that on the other side of the Bay of Seven Islands, here, in the harbour of Seven Islands, there are also two other wharves: the Gulf Pulp and Paper wharf where many ships dock; then,
135 there is the Wabush Mines wharf, a new wharf which -/- has not yet been used extensively, but which will be this summer.

. 135
ontd.

Q. Are those two wharves public or private wharves?

A. They are both private wharves.

Q. They are two private wharves?

A. Yes, sir.

Q. Mr. Paquet, I am now showing you chart 1214 which includes the Bay of Seven Islands and also a plan of Seven Islands; this map apparently does not show the limits . . .

A. Yes, here, the harbour limits.

Q. Which spreads from Pointe aux Basques . . .

A. From Pointe aux Basques to Pointe au Corbeau, and which includes Pointe Noire, located here in the interior.

Q. And all the wharves you mentioned are located within the limits of the harbour?

A. Yes, sir.

Q. I am now reverting to my question: your duties consist in supervising the maritime traffic inside the harbour?

A. Yes, sir.

Q. Is that correct?

A. Yes, sir.

. 136

Q. In the performance of those duties, do you come in contact with the pilots?

A. Not very often.

Q. Not very often?

A. No, not very often.

Q. In what way do you come in contact with the pilots?

A. Sometimes I go on board ships in order to collect harbour dues, and occasionally I meet the pilots who are in the captain's cabin. That is all I see of them.

Q. Then it is more in the nature of a social meeting than a business meeting?

136
ontd.

A. I have no business meetings with them.

Q. You have none?

A. No.

Q. Then who actually directs the traffic in the Seven Islands harbour?

137

A. The Iron Ore Company has its own tugboats and its own pilots who bring the ships in. Those ships drop anchor here, in the bay, and when they are scheduled to dock, the pilots board the -/- tugs and take the ships to the dock.

Q. What about the others?

A. Sometimes - pardon me, but I forgot another wharf - the wharf of the Imperial Oil here, which is another private wharf where the tankers dock to unload their cargo.

THE CHAIRMAN:

Q. That is right next, here, at the rear?

A. Yes, right next to it.

MR. MAURICE JACQUES;

On behalf of the Commission:

Q. As for the public wharves, who allots berths where ships must dock?

A. The ships, in general, come to the wharf, and when there is no berthing place, the wharf agent sees to it.

THE CHAIRMAN:

Q. That is with respect to public wharves?

A. Yes, with respect to public wharves; there is a wharf agent here, and usually he allots berthing locations to the ships.

MR. MAURICE JACQUES;

On behalf of the Commission:

138

Q. The wharf agent is Mr. -/- Therrien?

A. Yes, Mr. Therrien.

P. 138
Contd.

Q. Wharf agent?

A. Yes, sir.

Q. Apart from the tugboats which you mentioned and which belong to the Iron Ore Company, I believe that . . .

A. I do not know if they belong to the Iron Ore Company; however, they work for the Iron Ore Company.

Q. Are there other tugboats?

A. Some may come into the bay, but they do not handle the ships to bring them in; that is to the best of my knowledge. I am not too sure, but for instance the large tankers require the assistance of tugs when they cannot dock on their own power. Those are individual arrangements with the Iron Ore Company, because only the Iron Ore Company has tugs here.

Q. Are there two authorities which control the public and private port activities?

A. No; the Iron Ore Company handles its own traffic; . 139 the balance is left with the captains -/- who dock to unload their ships.

AND THE WITNESS SAID NO MORE.

I, the undersigned, Court Reporter, do hereby certify that the above evidence is the exact and accurate transcript of my stenographic notes.

G. OSCAR BOISJOLY,
Official Stenographer.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney,

ON BOARD S.S. C.D. HOWE, Seven Islands,
3:00 P.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

MICHEAL BRIAN MORIN, age 37, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES

Counsel for the Commission:

Q. What is your occupation?

A. I am vessel agent for the Iron Ore Company of
Canada.

Q. For the Iron Ore Company of Canada. And how long
have you occupied that position?



M. B. MORIN,
Inquiry,
EX. - 141

1
2
3 A. Since 1958, January 1958.

4 Q. January 1958. And as such, I presume you are
5 familiar with the traffic which is handled by Iron Ore?

6 A. Yes.

7 Q. Would you state to the Commission, for last year,
8 to the best of your knowledge, the number of vessels which have called
9 at your wharf?

10 A. In 1962, we had a total of 525 carriers loading at
11 the ore dock.

12 Q. And would you have any other type of vessel carrying
13 ore, lakers...?

14 A. Not all the ore lakers as such. At the Government
15 docks, there have been ore ships, say, from which we were receiving
16 cargo, possibly, but this is the only ore traffic, the 525.

17 Q. Would these vessels be approximately the same
18 size, these ore carriers?

19 A. They vary a good deal. I would say, last year, dead
20 weight tons, they would vary from as low as 5,000 tons to as much as
21 46. In fact, greater, excuse me, about 50,000 tons.

22 Q. And what would be the tonnage of the majority of
23 the vessels?

24 A. Our average last year, I believe, was about 19,000
25 plus, dead weight.

26 Q. Plus dead weight?
27
28
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30



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TORONTO, ONTARIO

M.B. MORIN,
Inquiry,
EX. - 142

1

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A. 19,000 plus.

3

Q. You mean, the net tonnage of these vessels can be...

4

A. I would say, net, - I think we do have some figures on it, but frankly, I am not too...I think, using a very rough rule of thumb you can figure back to possibly 12 in dead weight - rather, in net. That is very rough.

8

Q. Now, do you have any personal knowledge of other traffic in Seven Islands?

10

A. Yes, from what we have, we are on the dock all the time, of course.....

12

Q. Would you gather that knowledge in an official capacity, or just as a bystander?

14

A. No, because we do act as agents for other vessels than ore carriers, lakers, for instance, and the other general cargo ships. Not too many.

17

Q. Excluding the ore carriers, how many vessels have been consigned to you last year as agent?

19

A. I would say possibly a total of 15, maybe not quite that many; ten to fifteen.

21

Q. Ten to fifteen ships?

22

A. Yes.

23

Q. What types of ships?

24

A. Mostly tankers, and maybe 4 or 5 general cargo ships.

26

27

28

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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

M.B. MORIN,
Inquiry,
EX. - 143

1
2
3 Q. What would be their size?

4 A. The tankers run about 19,000; dead weight; that's
5 the average foreign tanker.

6 The general cargo ships, I would say, are about
7 the size of the ship at lay, now; it is about 5 to 7,000, dead weight.

8 Q. As far as your ore carriers, what is their
9 destination?

10 A. For the Great Lakes, Lake Erie mostly, for
11 Hamilton, for Sidney...

12 Q. Sidney...

13 A. ...Nova Scotia, for the U.S.A. Eastern Coast
14 ports, gulf ports, a couple for the United Kingdom ports, and the
15 Continent.

16 Q. Roughly, would you know what percentage of traffic
17 goes seaward and goes lakeward?

18 A. I can give you by the name of the ships.

19 Q. You may refer to any statistics which you may have,
20 or any document which you may have with you?

21 A. This is the 1962 breakdown by port of destination.
22 This is by tons, by ships, and the total is 525.

23 Q. 525 ships?

24 A. Yes.

25 Q. And this document relates to 1962 only, and it is
26 by port of destination?

27 A. Right.
28
29
30



M.B. MORIN,
Inquiry,
EX. - 144

Q. And the first figure on the left hand is the number of ships, and the first entry we read is: 123, Cleveland, 1,800,000 tons?

A. Right.

Q. That would mean 123 were cleared, or shipments were cleared for Cleveland?

A. That's correct.

Q. For a total of nearly 2,000,000?

A. Yes.

Q. Would you file this as exhibit number 294?

MR. R.K. SMITH

Commissioner:

Excuse me, what portion of the total of 2,000,000 tons went to Cleveland?

MR. MAURICE JACQUES,

Counsel for the Commission:

I can quickly summarize this, Sir: To the Great Lakes, 4,363,000 tons, that is in 276 shipments. It may be the same ship carrying twice.

And the U.S.N.H.

A. Yes, that is: U.S. North of Hatteras

Q. 108 ships for 3,769,000 tons.

Gulf ports, Gulf of Mexico, two ships for 31,990 tons, for a total of 110 ships seaward.

And United Kingdom, 105 ships, Rotterdam, 18; Emden, 3; Sidney, 13.



M.B. MORIN,
Inquiry,
EX. - 145

MR. R.K. SMITH,

Commissioner:

Q. The reason I ask is that the figures I have here are only up to 1961, and they show, speaking from memory, I think, 8.8 million tons of ore export, that is in 1961. What is the total in 1962?

MR. MAURICE JACQUES,

Counsel for the Commission:

We could add it up, Sir: 10,536,823 tons.

THE WITNESS:

A. Excuse me, this of course includes Hamilton and Sidney.

MR. R.K. SMITH,

Commissioner:

Q. I was thinking of the total, overall?

A. Shipped out.

Q. Exported?

A. Right.

Q. And there is one other question I should like to ask, I am not sure, but I think my information was that 70% of all the shipments here were ore. Is that correct? Correct me if I am mistaken?

A. I would think it must be at least 70, I would think, yes, oh yes.



M.B. MORIN,
Inquiry,
EX. - 146

MR. MAURICE JACQUES

Counsel for the Commission:

Q. According to the figures just given by Mr. Smith, there has been an increase over 1961?

A. Yes, there has been.

Q. Do you foresee an increase in shipping for the next year or in the near future?

A. I think Mr. Farnham is in a better position than myself to answer that.

Q. Now, we have heard that two tugs were available here in Seven Islands. Are they owned by your company?

A. No, they are owned by Foundation Maritime, Halifax.

Q. Are they on charter?

A. Yes. This is an annual contract, for the present time.

Q. In your capacity as vessel agent, do you look after pilotage?

A. Yes, the pilots are attached to the agency.

Q. The pilots would come under your supervision?

A. Indirectly; we have a chief pilot who they answer to, and he in turn, comes under the agency.

Q. And who does the hiring of the pilots? Do you have anything to do with it?

A. With the present staff, I did, there is one of the pilots who was hired actually by myself. The others were hired in other



M.B. MORIN,
Inquiry,
EX. - 147

capacity, prior to being on pilotage.

Q. It is a promotion?

A. Yes, an opportunity, when there was an opening.

Q. Would these pilots handle any ship which might require the services of pilots, not only the ships calling at your dock?

A. They would, yes.

Q. Do you have a scale of standard charges, charged to these strangers?

A. Yes, we have set up a scale which is on a straight-per-ship basis, and we don't use it too often; I think I could probably come up with it, I believe it is \$ 50.00 in, \$ 35.00 out, when tugs are available. In Winter, when tugs are not available, it is \$ 85.00 and \$ 35.00.

THE PRESIDENT:

Q. Have you got any printed forms?

A. We haven't actually got it in a printed form, Sir.

MR. MAURICE JACQUES

Counsel for the Commission:

Q. Now, when you let out the services of your pilots, do you enter into any written agreement with the ship master or the ship owner?

A. No, we have not. You mean: At the time?

Q. Yes?



M.B. MORIN,
Inquiry,
EX. - 148

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4 A. We have no actual paper that changes hands at the
5 time of the pilotage.

6 Q. Under what terms and conditions are these pilots
7 lent to or allowed to pilot other ships?

8 A. I would say, particularly on the traditional terms
9 that the pilot is the servant of the ship, and he is aboard to assist the
10 master and to give him the benefit of his local knowledge.

11 Q. To the best of your knowledge, is this condition
12 which you have just stated written down, or does it form part of any
13 correspondence or invoice system which may be exchanged between your
14 company and the strange ship?

15 A. I would say no, at the present time, I would say
16 no, in a general sense, anyway.

17 Q. Not to your knowledge?

18 A. No.

19 Q. Now, you have mentioned that tugs were not
20 available during the Winter?

21 A. That is correct, yes.

22 Q. What months do you include in the Winter?

23 A. Up to the present time, t hat would usually mean
24 from early December till.....I think our average opening is the middle
25 of April, so that would be up to the middle of April, so that includes the
26 work without tugs.

27 Q. Am I right in assuming that this harbour is not open
28 from December to the middle of April?



M.B. MORIN,
Inquiry,
EX. - 149

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2
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4 A. No, it is open, we have had traffic here in the
5 past five years through the entire Winter; sometimes, we have required
6 ice-breaker assistance, but mostly they were able to come in on their
7 own.

8 Q. You then lease no tug during the Winter?

9 A. Well, we don't have traffic, our own traffic.

10 Q. Your own traffic stops during the Winter?

11 A. Yes.

12 Q. But general traffic takes place?

13 A. Mostly coastal.

14 Q. Are your pilots available during the Winter at all
15 times?

16 A. Yes, on call. They actually go to other work, but
17 they are available upon request.

18 Q. Would you explain how they work? What hours they
19 work? How they go on duty, how long they are on duty, whether they do
20 a roll as the St. Lawrence pilots do, or on watch system?

21 A. We presently have four active pilots, they would be
22 in pairs, and they are actually on for 24 hours and off for 24 hours.

23 When we say: on, it means they are on call, they
24 are not required to stay in the dock area during this period, they are
25 called from the dock as required, and they can return home when the
26 movement is completed.



M.B. MORIN,
Inquiry,
EX. - 150

Q. And do they keep these watches twelve months a year?

A. No, this is just during the shipping season.

Q. Your own shipping season?

A. Exactly, yes.

Q. And during the remaining months, how do they work?

A. They go on to a maintenance program of the Iron Ore Company as supervisors on belt repairs.

At that time, they work a five-day week and remain on the same remuneration, same scale as for the balance of the year.

Q. Do they receive a yearly salary or monthly, or hourly salary?

A. They receive a monthly salary.

Q. A monthly salary?

A. Yes.

Q. And would they also receive overtime for work on Sunday or work at night?

A. Not normally. The shifts, or rather their watches are more, I would say, on a monthly basis than on any particular work.

Q. Now, would they benefit from Unemployment Insurance? Are you aware of that?

A. Yes.

Q. And Workmen's Compensation? Are you aware?

A. They would be covered, I think, yes.



M.B. MORIN,
Inquiry,
EX. - 151

Q. Do they participate in any pension fund?

A. They do, yes, with the Iron Ore Company.

Q. Is there a special category for pilots in that pension fund?

A. It is the same fund that is available to all members within the same wages bracket; it is a participation plan.

Q. Do they participate in any group insurance?

A. They do.

Q. Any other welfare plan?

A. Yes, they do.

Q. Is the same for all the pilots as for other employees?

A. It is, yes.

Q. Now, in the hierarchy of your company, how do you regard pilots?

A. I would say they are supervisory people, and on that basis, trying to fit them back in, I would say they are, other than the chief pilot, who is in a bracket of his own, I would say they are supervisory people. It is sort of hard to say exactly.

Q. Now, who does the dispatching of pilots?

A. You mean, actually sending them out?

Q. Yes, who receives the request for pilots?

A. It is our agency office.

Q. Do you have a staff looking after that work?

A. Yes.

Q. How many men would be doing that work?



M.B. MORIN,
Inquiry,
EX. - 152

A. We have four men employed there, we maintain a 24-hour service, and we have a stenographer, a secretary and myself.

Q. And do these four men, the secretary and yourself do nothing but look after pilotage?

A. No, we look after the ship business, we are agents, we are ship agents as such; we attend the ship business and call out the pilots as required, usually in ample time before the request is completed, or before it arrives in the bay.

Q. Now, as regards the pilots, how do they board the vessel, both on and off?

A. We have working arrangement with the Foundation people whereby they take them out in the tug and they board from the tug.

Q. What about if the ship doesn't need the tug?

A. Then, the pilot would be put on board, and the tug would return.

Q. So, the tug acts as pilots boat?

A. Yes.

Q. In all circumstances?

A. Yes.

Q. Whether it is your own ships or strangers?

A. Yes, if the tugs are here. In the off season, a local fisherman runs them out as required.

Q. What charges does he make, this local fisherman?

A. He normally charges us \$ 15.00 to put a pilot on board.



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TORONTO, ONTARIO

M.B. MORIN,
Inquiry,
EX. - 153

Q. For the one trip?

A. Yes.

Q. And when the tug goes out with the pilot to meet a stranger, not one of your own ships, does the tug make a charge for that?

A. If the tug is being used to assist the ship, then there is no charge made for boarding the pilot.

If he goes out just to put the pilot on board, he charges the same \$ 50.00 per trip.

Q. Now, would you have any statement on the work load of your pilots?

A. Well, I think it has varied in the last few years, depending on demand and shipping schedule.

Q. For the last year, what was your busiest month?

A. I think June and July would be the most active months.

Q. Would you recall how many ships they handled?

A. I don't recall the exact number. The information would be available, but I don't recall exactly how many.

Q. Now, are you able to tell whether their work is done during darkness or daylight hours mostly?

A. Well, the Iron Ore Company plant operates this year, and did last year on a two-shift basis; so, these ships are moving or can be moving at all times.

Q. Now, coming back to the working conditions of the pilots, I forgot to ask you whether they have any vacation?

A. Yes, they have two weeks after a year's service; three weeks after two years, and four weeks after three.



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TORONTO, ONTARIO

M.B. MORIN
Inquiry,
EX. - 154

Q. Three years' service?

A. Yes.

Q. And when a pilot goes on vacation, who replaces him?

A. Well, up to now, they have been pretty well confined to Winter vacation; but now, we have a helper pilot who is trained and who is qualified to help them, and we hope to eventually allow them to take vacation during the Sammertime or whatever time they wish.

Q. Was this helper pilot hired particularly for that?

A. He started out in the agency and has gone into the pilotage when an opening developped, when one of the other pilots left.

Q. It is a net increase over the number of pilots?

A. Well, it is, in the sense that we have always had four, and this man is trained as a helper; it does represent an increase, we have five qualified men.

Q. Now, this additional man, has he been hired in order to allow pilots to take their vacation during the Summer, or because of the increase in jobs?

A. No, I would say partly for vacation and partly as a pilot, should one of the other pilots fall sick or be unable, we would be left with at least four pilots.

Q. Previous to having this prentice pilot, when a pilot went on vacation, how did you work your watch?

A. They have pretty well combined their Winter vacation, or then, if we have a gap, in the schedule of shipping, which



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M.B. MORIN
Inquiry,
EX. - 155

develops sometimes in as much as there is two or three days without a vessel, they might be able to take a few days off at that time.

Q. There was no hard and fast rule for the watches during the Winter?

A. I am sorry?

Q. During the Summer, when you have a watch 24 hours ...

A. Yes.

Q. During the Winter, is this watch system carried out?

A. No, they go on an ordinary five-day week, and it is actually eight-hour shifts that they put in.

Q. And when a ship requests a pilot, you take him out of his job?

A. Yes.

Q. He goes about, takes the ship in and returns to that job?

A. Yes.

Q. Do you make it compulsory to use a pilot for ships going to your wharf?

A. It is compulsory at the Iron Ore Company.

Q. Why?

A. I think the pilotage developed here in such a way, that it has been preferable, it is to the advantage of the entire operation to have a pilot available to take a ship in, to take it along the quay, I



M.B. MORIN,
Inquiry,
EX. - 156

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4 think it has been found that it is very advantageous from an operational
5 standpoint to have these pilots available.

6 Q. Why? Is it because the job is done more quickly?

7 A. I would say so; the fact that the pilot is available,
8 a ship comes in, and they put her to the anchorage; some of these ships,
9 they may not have people standing by for instructions or for the movement,
10 from the shoreside, and the fact that you put a pilot on board and they
11 know they are going to the dock, the ship is ready to go, it moves in.

12 The same for shifting, half an hour before the ship is
13 ready to shift, and when it is possible for her to shift, she shifts out.

14 Q. When you made pilotage compulsory, did you consider
15 the safety of ships and of your dock installations?

16 A. I would say it was considered at that time, yes.

17 Q. You don't know how heavily it went in favour of
18 compulsory pilotage?

19 A. Well, I wasn't involved in that decision; I think
20 Mr. Farhnam would certainly give you information on that.

21 Q. You mentioned the charges made to stranger ships,
22 but your own ships, chartered ships, do you make a similar charge for
23 pilotage?

24 A. At the Iron Ore dock, we have an all-inclusive fee,
25 which includes the expenses for dock, pilots, agency and some incidental
26 expenses.

27 Q. Now, if a stranger ship were to come in and do
28 agency work through you and used tugs and your pilot, would the charge
29 be similar?
30



M.B. MORIN,
Inquiry,
EX. - 157

A. It would be different to the extent that, depending on the class of ship, this Barren Kenerd that is in the bay now, there was only one tug for docking and one tug for leaving the pier, the tugs are charged then by Foundation on a movement basis, and our agency fee is set in accordance with the standard set by the Foundation, and so, these items are treated separately rather than an all-inclusive fee.

Q. Would you prepare for the Commission a scale of fee of your charges for ships?

A. Could I prepare one?

Q. Yes, please?

A. Yes.

Q. Not today; you can send it on to the Commission.
Have you ever had any accident here? Ship accidents?

A. The pilotage became in 1956, during that period there has been slightly under 400 odd calls at the wharf, there have been 5 instances of minor damage that required official report only, and there has been one instance which required survey of damages, at the time.

Q. Would you tell us about this last accident?

A. It was a case of a tanker, in 1957. She had had ice damage going into the port, a rather severe bit of damage in the stem of the ship, and then, moving up to the dock, against the pilot's advice, the master left his starboard anchor in place - apparently, there was a bit of confusion, of nervousness, I believe that instead of locking the starboard, they locked the port anchor, with the result that when the ship came alongside, the anchor forced in the shell plating, which was included in the survey of damages and ice damages.



M.B. MORIN,
Inquiry,
EX. - 158

Q. What you have just said, is that out of your personal knowledge, or reported to you?

A. This has been reported to me by the chief pilot.

Q. In the course of your duty?

A. Yes.

Q. And the other accidents which you have mentioned, what would be their nature?

A. Well, they have been minor indents; as you can see, the dock is quite well sandered, and there are very few causes for any damage that could ever be caused in any respect from the docks.

These cases have been mostly minor indents, or a bash here and there in docking.

Q. Now, do you have any special disciplinary power over the pilots?

A. Well, we have never had occasion to exercise any disciplinary power other than possibly one case where the pilot was actually employed at the time, it was felt that possibly his judgment wasn't quite adequate, and he was removed from the pilotage for that reason.

Q. Now, you have mentioned that your extra pilot has undergone some sort of training for pilotage. Is that correct?

A. That's correct, yes.

Q. Would you first tell us the qualifications of your pilots? Do they hold any certificate of competence?

A. I can give you for the five pilots, including the helper pilot: We have three who hold master mariner ocean-going



M.B. MORIN,
Inquiry,
EX. - 159

certificates; we have one who holds a master inland, Mr. Mimault, and we have one who has a master home trade.

Q. Has your helper pilot any certificate?

A. Master home trade.

Q. And what training do you give him?

A. Well, Mr. Mimault will explain this a little bit better, but I would say the training was over a period; he commenced training in September 1961, and he qualified as a pilot in August 1962, so that the training was spread over pretty nearly a full year of traffic.

Q. Now, you said he qualified as a pilot; who qualifies him as a pilot?

A. Captain Mimault, the chief pilot.

Q. The chief pilot?

A. Yes.

Q. To the best of your knowledge, was the system followed previously with other pilots?

A. I would say: yes. Mr. Mimault actually was the first man in the pilotage, and as these other men came, they in turn were trained by Captain Mimault and were considered qualified when he felt that they were qualified.

Q. Do you know if - there must surely exist an arrangement between the pilot and the tug boat master as regards the handling of the ships?

A. They do have signals, of course, which are standard; and other than that, there would be certainly a signal basis with the tugs.



M.B. MORIN,
Inquiry,
EX. - 160

Q. Do you consider that the tugs are the servants of the pilot, when engaged in docking or undocking?

A. I would say so, to the extent that the pilot gives instructions; they are the servant of the ship and receive instructions from the pilot.

Q. I have several more questions, but I think Mr. Farnham would be more qualified to answer them.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Q. I think it shows your consideration, that pilotage is essential for the safety of shipping and navigation in this port, and the berthing and docking of ships, and the protection of the installations, otherwise you wouldn't have the set-up here that you have?

A. I would say that is correct, Mr. Smith, yes.

THE PRESIDENT:

Q. Did you say also that it was time saving?

A. Yes, it is definitely, to the extent that the ships are kept much more abreast of movement because the pilots are available.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Q. Just one other question, perhaps I should ask somebody else, it involves a matter of policy, you don't have to answer unless you want to: Would there be any objection to the establishment in this port of a pilotage district under the authority of the Minister, or a commission or some other authority?



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M.B. MORIN,
Inquiry,
EX. - 161

A. I would like to pass that one on.

THE PRESIDENT:

Q. Now, I understand that as far as your berths are concerned, pilotage is compulsory?

A. Yes.

Q. But it is not compulsory for other private berths or Government owned berths in the harbour?

A. No, very definitely not, Sir.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Q. Now, about the traffic at the other wharves, do they use pilots?

A. Actually, our requests for pilots are pretty much from ships which are coming in for the first time, the master is unfamiliar with the port, and they are usually foreign going vessels, rather than coasting.

Q. So, the pattern is that coasting vessels and the lakers would, when the master has been here before, when he has acquired some local knowledge, he is just going to go in by himself?

A. Yes, very definitely so.

Q. Well, on the other hand, the sea-going vessels, even if they have been here before, they would call for a pilot?

A. I would say, in most cases, there are a number of vessels in the coasting trade now, British flag vessels, who are certainly sea-going, but who have become familiar enough with the port that they do their own ship handling, docking.



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M.B. MORIN,
Inquiry,
EX. - 162

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Do you make use of radio telephone to dock ships?

A. Yes, we do.

Q. What type of radio telephone?

A. Well, it is a Motorola, a very small type.

Q. A portable type?

A. Yes.

THE PRESIDENT:

Q. A walkie-talkie?

A. A walkie-talkie, yes, fixed on the belt.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Do you find that this system increases the speed with which ships are docked?

A. No, I would say it has no bearing on the speed, but it does - we feel an increase in the safety factor, to the extent that the pilot is in continuous contact with his tug, and contact with other areas where he may require some change of orders, something that would affect the ships movement, and it is a very good factor all the way around, but it doesn't affect the speed at which the vessel comes on the berth.

Q. In the course of your employment, have you ever been requested to prepare statements on the accuracy of the transmission of these radio telephones or walkies-talkies?



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M.B. MORIN,
Inquiry,
EX. - 163

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3 A. Yes, shortly after we received them, we did say
4 that they operated satisfactorily.

5 Q. Have you ever noticed any interference, or have
6 your pilots noticed any interference in communications due to closeness
7 of the tug, to shore installations?

8 A. At first, there was definitely what would seem to be
9 blind spots, when we first got the sets.

10 The sets we have now are a little higher powered
11 than the original ones, and I am sure Mr. Milmault can give this to you
12 first hand, but I would say they have been completely satisfactory, and
13 there seems to be little, if any cases where you do have these so-called
14 bling spots.

15 Q. Now, as regards the services of the pilots, what
16 notice do you require? How long a notice do you require from the ships
17 coming from the sea?

18 A. Well, our operating procedure is that when the
19 vessel gives us an e.t.a. 1,600, we would call the pilot at 1,500 or 1 hour
20 prior to the ship's e.t.a.

21 Q. What is the shortest notice you would accept from the
22 ships? Suppose you got a call at 1,500 and say: I will be there at 1,530?

23 A. We accept any notices, except it may take a few
24 minutes to take the pilot from his home downtown, but he would be
25 available as soon as possible.

26 Q. Have you established a rule on the number of hours
27 notice you require to provide a pilot and tug?
28
29
30



M.B. MORIN,
Inquiry,
EX. - 164

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4 A. I would say no, because the compulsory pilotage
5 as such, it is up to us to have the pilot available for the master, he knows
6 one pilot will be available, and we just ask him to give us as early an
7 e.t.a as he can.

8 Q. We will be writting to you requesting information
9 along these lines, such as the flag, net tonnage etc...of ships, of traffic
10 handled here, and also if the pilot was used or not. I imagine, for your
11 own ships, pilots were used at all times?

12 A. Yes.

13 Q. And for other ships, I am right that you act as
14 agent for ships which do not take a pilot?

15 A. Yes.

16 Q. Would you list those also, that have used a pilot
17 or not?

18 A. Yes.

19 Q. We will be writting to you requesting that?

20 A. Right, Sir.

21
22 AND FURTHER DEPONENT SAITH NOT.

23
24 I, the undersigned, Court Reporter,
25 hereby certify that the above is a true
26 transcript of my shorthand notes.

27
28 G. OSCAR BOISJOLY,
29 Court Reporter.
30



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Seven Islands,
3:00 P.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

HARRY EARL FARNHAM Jr., age 46. being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. What is your occupation?

A. Manager of operations of the Iron Ore Company of
Canada.

Q. I only have a few questions to ask you: How long
have you been in that position?

A. Since 1954.

Q. Did you have anything to do with the set-up of pilots
here?



H.E. FARNHAM Jr.
Inquiry,
EX. - 166

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4 A. Yes.

5 Q. Now, you have heard the question which I asked Mr.
6 Morin concerning the safety factor: could you tell us whether this has
7 been considered when you set up the pilotage?

8 A. It was considered, but it was not the primary reason
9 for pilotage.

10 Q. What was the primary reason for pilotage?

11 A. The efficiency in moving ships on to the docks, up
12 on the rolling rigs, and removing the loaded ships after completion.

13 Q. Now, Sir, are you able to say whether your company
14 has any agreement with the users of pilots as regards their liability or
15 your company's liability for their negligence?

16 A. Well, we have standard insurance to cover any
17 negligence on the part of our pilots.

18 Q. But you do not request masters of ships who use
19 your pilots to sign a waiver of liability in favour of your company?

20 A. No.

21 Q. Was that aspect discussed when you set up the
22 pilotage?

23 A. To some extent, yes, and the question was never
24 resolved.

25 Q. Now, Sir, what would be the views of your company
26 if a pilotage authority such as exists elsewhere in Canada were created
27 in Seven Islands, either under the Minister of Transport or a local
28 commission?
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H.E. FARNHAM Jr.
Inquiry,
EX. - 167

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A. I don't think we would be too happy.

Q. Why, Sir?

A. We feel that we have more authority over our pilots, and we have more authority over the ships, and perhaps we could receive a better turn-around on our vessels with our own crews.

Q. Were you ever approached by the Department of Transport as regards your pilotage system?

A. I never was.

Q. Were you ever approached by the St. Lawrence pilots as regards pilotage in Seven Islands?

A. I have never been.

Q. Now, would you be willing to tell us how much your pilots are paid a year?

A. That's a confidential information; I prefer not to give it.

Q. Then, I would ask you to supply this information confidentially to the Commission?

A. That's right.

THE PRESIDENT:

Q. And this is going to be treated confidentially.

A. Yes.

MR. MAURICE JACQUES,
Counsel for the Commission:

Q. And we will ask you also details of pension and other welfare benefits.



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H.E. FARNHAM Jr.
Inquiry,
EX. - 168

1
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3 A. That's right.

4 Q. Do you foresee an increase in traffic in the near
5 future?

6 A. It all depends on the iron ore market; we hope that
7 the traffic is going to increase considerably.

8 Q. And are you able to tell us whether this increase
9 will bear towards the Great Lakes area or the United States and gulf
10 ports?

11 A.I honestly don't know; I would venture a guess
12 that perhaps it would tend towards the Great Lakes.

13 Q. Now, one last question, you may not be able to
14 answer: Do you know who could supply us with the accurate and complete
15 statistics of ships in Seven Islands; I understand you can do that for
16 your own company and also for ships for which you have been agents,
17 but I imagine that there is traffic which does not go through you, here?

18 A. That's right.

19 Q. Do you know who could supply those statistics?

20 A. I know of no source of information on that.

21
22 MR. R. KNOWLTON SMITH,

23 Commissioner:

24 Q. I would like to be informed on one point: About the
25 question of pilotage in the harbour, I asked the previous witness if he
26 considered it essential for the safety of ships and navigation here, to
27 have pilotage and dock masters or berthing masters, and he said: Yes, -
28 at least, that's what I understood. I understood you were taking a somewhat
29 varying attitude to that question?
30



H.E. FARNHAM Jr.
Inquiry,
EX. - 169

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3 A. That's true.

4 Q. Would you develop that a bit further?

5 A. From a safety point of view, as you probably know,
6 the lakers are quite capable of coming into a dock similar to ours
7 without any help, tug or pilot or any outside assistance.

8 Some of the ocean ships, after they have been here
9 a number of times, are as capable as the lakers.

10 Our primary purpose for setting up the tug service
11 and the pilotage service was to expedite the turn-around and the movement
12 of the vessel. Safety was considered, but it was not primary.

13
14 MR. HAMELIN:

15 Q. I wonder if Mr. Farnham would object to telling us
16 what is the amount of liability you carry to cover your pilots, here?

17 A. I will be glad to furnish the information to the
18 Commission; I don't want it to be public information.

19 THE PRESIDENT;

20 That's right, you do so.

21
22
23 AND FURTHER DEPONENT SAITH NOT.

24
25 I, the undersigned, Court Reporter,
26 hereby certify that the above is a true
27 transcript of my shorthand notes.

28
29 G. OSCAR BOISJOLY,
30 Court Reporter.

C A N A D A

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: THE HONOURABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Solicitor

ON BOARD S.S. C.D. HOWE, SEVEN ISLANDS, 3:00 P.M.

On May 19, 1963, appeared as a witness:

GABRIEL MINEAULT, 37 years of age, who, being duly sworn on the Holy Bible, testifies as follows:

QUESTIONED BY MR. MAURICE JACQUES,

on behalf of the Commission:

Q. What is your occupation?

A. Chief pilot for the Iron Ore Company.

Q. Since when?

A. Since 1955.

Q. As we were told a while ago, you hold a master's certificate? Is that correct?

A. I only have a certificate of home trade master, and one of inland captain.

Q. Inland waters?

A. Yes.

Q. When did you obtain your certificate, captain?

A. In the winter of 1948-49, at Rimouski.

Q. Did you ever act as captain of a ship before becoming a pilot?

A. No.

Q. In what capacity did you serve on a ship?

171
td.

A. As second officer.

Q. On what kind of ships?

A. A Clarke Steamship passenger ship.

Q. Where did it sail?

A. From Montreal to Blanc Sablon.

Q. What is the total number of years you experienced
at sea?

A. When I quit navigation, I had more than 72 months
at sea.

Q. 72 months at sea?

A. Including the beginning to the end.

172

Q. And you were the first pilot here?

A. Yes, sir.

Q. As first pilot, did you enter the first ship to
come here?

A. Not the first ship; I started to pilot ships in
June 1955, and operations had begun in August 1954.

Q. In August 1954. Can you relate your experience on
that first ship?

A. I was working on shore for the Iron Ore Company,
splicing steel wires. Since quite a while, I desired to
become a pilot, and after my work was finished with the
Company - I was working daytime - since many ships had requested pilots, I used to sail them in.

173

I started in June, on a Liberty ship owned by a Norwegian company, and I continued piloting at night until the fall of 1955. Toward the end, the Iron Ore Company allowed me to do piloting in -/- daytime, that is, during my working hours.

Q. When you piloted that Norwegian ship, was it the first time you handled a ship alongside a wharf?

173
ntd.

A. Yes, sir.

Q. How did you get along?

A. Very well; they never noticed that it was the first time.

Q. Did you tell the captain?

A. Never.

Q. Did you tell the Iron Ore Company?

A. The Iron Ore Company undoubtedly knew it.

Q. Were you paid for the piloting you did at night?

A. Yes, sir.

Q. Apart from your salary?

A. I was paid. The Iron Ore Company then had nothing to do with that; I was completely independent.

Q. After they saw that things were satisfactory, they asked you to become a pilot?

A. Yes, sir.

174

Q. That is correct?

A. Yes, sir.

Q. I understand that now four pilots are working under your orders?

A. Yes, sir.

Q. Do you exercise disciplinary powers over those pilots?

A. Disciplinary? As long as they remain sober and do not practice smuggling, I do not exercise any discipline if they perform their work properly.

Q. Did you choose those pilots?

A. No, sir, but I will admit that I was asked my opinion before the Company hired a pilot.

Q. Did you have them undergo some kind of examination before you gave your opinion?

174 A. I always insisted that they hold a master's certi-
ntd. ficate.

Q. What class?

A. Inland waters was sufficient; I am an "inland" man; I asked for an inland certificate and upward - deep sea or home trade.

There was never any question about that. If the others had a master's certificate, if someone had applied, I would not have objected.

175 Q. Evidently. Apart from asking if those persons held some certificate of some class, did you interview them before recommending them?

A. I had them attend a three month course, which means that they were under observation by me.

At the beginning, they came with me on board the ships, to take them in and out of the harbour; and when I thought they could go in and out, they always started doing so before docking the ships alone.

When they started, I always accompanied them to move the ships in, even to take them in and out. I could be with them for three or four ships, and to come in, with a dozen of ships. Afterwards, I let them go according to the weather conditions.

Q. Do those persons pilot the same kind of ships as you did when you started your work?

A. The class of ships has greatly changed, because then we had many ships of the Liberty class and Parc ships.

176 Today, the tonnage is much higher. -/- We have more ore ships. Previously, we had a greater number of smaller cargo ships which carried the ore.

176 Q. Why do you believe that a special training is
td. necessary here?

A. We have plenty of water here; it is because the ships must dock with a minimum of ballast. It depends on the wind, and we often have high winds which greatly affect us; this can be dangerous if the pilot is not familiar with the situation.

Q. How did you learn to know those winds?

A. Before I started piloting, I worked during four years on the wharves at Seven Islands. I saw ships docking without pilots; I saw the damages that would occur and I studied the manoeuvring which was taking place then.

Q. The, you did not undergo any training?

A. I trained myself watching the ships dock.

Q. Apart from the winds, do the currents affect the manoeuvring?

177 A. Indeed; when the ships near -/- the dock with a heavy tonnage, the currents do affect them.

Q. What is the direction of the current, here?

A. Alongside the wharf.

Q. Alongside the wharf?

A. North and South.

Q. Does the current change with the tide?

A. Not always. With a strong easterly wind that lasts more than 24 hours, we can say that the currents come from the East.

Q. What is the velocity of those currents?

A. Three or four knots.

Q. Three or four knots?

A. Not very often four knots; one can say three knots.

177
td.

Q. How were those currents measured?

A. We can say that they were calculated approximately.

Q. Approximately. Are you satisfied with the navigation aids to enter or sail out of the harbour?

A. Yes, I think we are satisfied; after talking it over with many ships captains who came here, I found out that they were really satisfied with the entrance and exit of the Seven Islands harbour.

178

Q. As a pilot, do you find -/- that the situation is satisfactory?

A. It is satisfactory; on my recommendation, and I can add on the recommendation of all the pilots, the Iron Ore Company built an alignment set which helps us to dock in periods of high West or South-West winds blowing against the wharf; it helps us to judge our drifting or to anchor here in the Seven Islands bay.

Q. Who maintains those aids?

A. We only have one set of alignment which belongs to the Iron Ore Company.

Q. The Company maintains it?

A. Yes.

Q. According to your experience, do many ships sail without your services when they come here?

A. I will give you an instance. In 1956, the Iron Ore Company had authorized me to dock any ships upon the request of the captain. Out of a total of 625 or 640 ships, I made 480 dockings alone. I was the only pilot then.

Q. Then you were accepted?

79

A. My services were requested 480 times on 625.

Q. That was in 1956?

179 A. In 1956.
td.

Q. At present, in 1962, can you tell how many ships entered here without a pilot?

A.

Q. Would it be possible to find out?

A. In 1962, I do not believe one ships docked at the Iron Ore Company's wharf without a pilot.

Q. But you do piloting elsewhere than at the Company's wharf?

A. Yes, we go to the wharf of the Imperial Oil Company, at the government wharf.

Q. Do the Imperial Oil ships use pilots?

A. We can affirm that the coastal tankers or the coastal cargoes do not request the services of pilots.

Q. Did they ever request such services?

A. Not to my knowledge.

180 Q. The ships of the Clarke Steamship, -/- here?

A. No. I remember that a few times ships chartered by the Clarke Steamship and sailing under British flag have requested the services of pilots.

Q. And the Great Lakes ships which come here and do not dock at the wharf of the Iron Ore Company?

A. Never.

Q. Never a pilot?

A. There is the B.A. Peerless . . .

Q. What is their tonnage?

A. Approximately ten thousand net tons - seven thousand tons - and it happened only once.



G. MIMEAULT
Enquête
EX. - 180

ici?

R Non. Les bateaux qui ont été engagés par la Clarke, les bateaux flottant le pavillon anglais, je me rappelle, quelques fois ils ont fait la demande pour un pilote.

Q Et les navires des grands lacs qui viennent ici mais qui ne vont pas au quai de la compagnie Iron Ore?

R Jamais.

Q Jamais de pilote?

R Il y a le B A Peerless...

Q Quel tonnage?

R Ah, à peu près dix mille tonnes net, sept mille tonnes, et ç'a été la seule fois, une fois.

Mr. ROBERT KNOWLTON SMITH,

Q Are you satisfied with your present status and your relationship with the company as an employee pilot? Other places, they would like to be self-employed professional navigators, but now, are you satisfied with your present status here?

A. Yes, I am satisfied.

Q. Your answer is: Yes.

A. Yes.

MR. MAURICE JACQUES

Counsel for the Commission:



G. MIMEAULT,
Inquiry,
EX. - 181

Q. What would be your reaction if this port of Seven Islands were set up as a pilotage district such as exists in the rest of Canada, with the same privileges and the same obligations?

A. My reaction, I don't think I will have any reaction, because I don't think I will be the fellow who will decide. Probably, it will beI will say I will have no reaction.

Q. Would you be angry?

A. No.

Q. Would you be satisfied?

A. No.

Q. Would you be dissatisfied?

A. No, I would say: To work for Iron Ore Company or for a district of pilotage, to me, it is the same thing.

Q. Would you indicate on Chart 1214 the place where you board on and off ships?

A. Inside the harbour limits, but on request ...

Q. Inside the harbour limits which is indicated between Pointe-aux-Corbeaux and Pointe-aux-Basques. It is always the same place?

A. Yes, but there would be a ship, once a year, that would require our services at the Corossol light house, and we will be going there.

Q. Do you make a special charge for that?

A. No.

THE PRESIDENT:



G. MIMEAULT,
Inquiry,
EX. - 182

You were interested before in the walkie-talkies;
he is the man who uses them.

MR. MAURICE JACQUES

Counsel for the Commission:

Q. Do you use walkie-talkies in docking ships?

A. That's right.

Q. What do you think of that?

A. I think that's a very good thing.

Q. Why?

A. Because I think we feel safe with this walkie-talkie,
because we can be in contact with the tug any time, but like Mr. Morin
said, we have those signals which we used to use, whistle signals, and
the ship whistle, but we still have our mouth whistle in our pocket in case
something happens to the walkie-talkie.

Q. In your experience, have there been any failure or
blank spot in using walkie-talkies?

A. The first year, because the set was too weak. The
second year, we had more power on the set.

Q. And with your new set, do you have blank spots?

A. No, not in contact with the tug.

We might have a blank spot, maybe once every three
months, maybe because the batteries are dead, but most of the time, we
make sure that we have a good set of batteries.

Q. But there is no failure in communications at all,
save when the batteries are dead, that's understandable?



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TORONTO, ONTARIO

G. MIMEAULT,
Inquiry,
EX. - 183

A.

....

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Seven Islands,
3:00 P.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

JOHN C. WERR, being duly sworn on the Holy
Evangelist, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Do you wish to make recommendations?

A. Just a comment, talking about the radios, that they
are much better in this respect that when you are using a whistle and you
have a ship which is light, the forward tug is under the bow, the forward
tug can't hear the whistle, the mouth whistle. Therefore, something could
happen.

Whereas with the radio, you have direct contact
at all times.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

J.C. WERR,
Inquiry,
EX. - 185

That's the only thing I would like to say.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a true
transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

C A N A D A

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, at sea,

8:00 P.M.

On the nineteenth day of May, the year
nineteen hundred and sixty three:

LOUIS MICHEL DUSSAULT, age 36, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Your profession?

A. I am a pilot in the Quebec District.

Q. How long have you been a pilot in the Quebec District?

A. A little over five years.

Q. And have you had previous sea experience before
becoming a pilot?

A. Yes Sir, sixteen years.

Q. Do you hold any certificate of competency?



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TORONTO, ONTARIO

L.M. DUSSAULT,
Inquiry,
EX. - 187

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A. Yes Sir, I hold a master mariner certificate.

Q. When did you obtain it?

A. In 1950, Sir.

Q. Did you ever serve in command of a ship?

A. Yes, two years.

Q. What type of ships?

A. Well, they were various sizes, from several thousand tons.

Q. Net or gross?

A. The first one would be 500 tons net, and my largest ship would be 2,000 tons net.

Q. And where did you trade?

A. I traded on the St. Lawrence River, the gulf, Newfoundland, Labrador, Arctic, for two Summers, and one for Winter on the West Indian trade.

Q. I understand that since you have been a pilot on the St. Lawrence River, you also had occasion to do coastal pilotage to ports on North Shore. Is that correct?

A. That is correct. That is previous to the time I became a fully-licenced pilot; previous to 1958.

Q. When you were an apprentice on the St. Lawrence?

A. When I was an apprentice, and even before my apprenticeship.

Q. Would you explain what was this coastal pilotage which was done in the gulf?



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3 A. Of course, this is previous to these ports which
4 have been set up, as we have seen for a couple of days. Most of these
5 places were in the building state.

6 This pilotage was on a personal basis with the
7 ship owners or the agents.

8 I was not alone, there was any number of pilots or
9 coastal masters that were approached to help the ships and bring them
10 to various ports, and it was on a personal basis.

11 Q. To which ports?

12 A. Personally, I boarded large vessels in Seven Islands
13 and Baie Comeau.

14 I believe some others might have done other ports,
15 I heard, on the sea shore, but these are the ones I did myself.

16 Q. In what years did you take ships to Seven Islands
17 and Baie Comeau?

18 A. Well, it is very hard to tell you exactly, but, let
19 us say: Between 1951 and 1957. That would be in that five or six years.

20 Q. How many ships would you have mastered to these two
21 North Shore ports?

22 A. That again, now, I would say: 9 or 10 trips.

23 Q. And what did you do on those ships?

24 A. It depended; in some instances, the agent or the
25 company asked me to come to pick-up the ship at the entrance of a port;
26 in other cases, we boarded the ship in Quebec and took over as the regular
27 after Fathers' Point and docked the vessel and everything else.



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3 Q. You took a ship from Fathers' Point and docked
4 the ship in Seven Islands?

5 A. That's right.

6 Q. And you did all the navigation from Fathers' Point
7 to the docking?

8 A. That's right.

9 Q. When you went to Seven Islands and Baie Comeau,
10 did you stay with the ship?

11 A. Most times, we used to take the ship out to Carossol
12 here, and they had a fisherman's boat to take us off, or someone's tug
13 or construction boat that they had around here, but I never went any
14 further than up here. The ships were always bound to sea after that.

15 Q. When you took the ship in from the St. Lawrence, did
16 you stay with the ship until she was ready to leave?

17 A. Most of the time, yes.

18 Q. How did you get back home from Carossol?

19 A. A small boat would take us back to shore, and I
20 used to fly to Mont-Joli and fly back home.

21 Q. And what was the fee charged?

22 A. It varied depending on what the service was. In my
23 case, I can only speak for myself, I don't know what the others charged.
24 An example I can give you: From Fathers' Point to bring the ship down
25 here...

26 Q. When you say: "Here..."

27 A. Seven Islands, and board here alongside, the Iron
28 Ore used to give me \$ 150.00 and I paid my own expenses out of that.
29
30



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TORONTO, ONTARIO

L. M. ROUSSEAU,
Inquiry,
EX. - 190

- 1
- 2 If I took the ship out, they used to give me \$ 50.00
- 3 additional.
- 4 Q. How many hours would be involved?
- 5 A. Sometimes, depending on the speed of the vessel,
- 6 most would be of the Liberty type at that time, it would be 15 to 16
- 7 hours.
- 8 Q. 15 to 16 hours?
- 9 A. Yes Sir.
- 10 Q. You got \$ 150.00 for that?
- 11 A. Yes Sir.
- 12 Q. And you had to pay your own expenses?
- 13 A. That's right.
- 14 Q. And do you think that there is still a need for coastal
- 15 pilotage along the North Shore here?
- 16 A. Not since these local ports have their own pilotage,
- 17 I don't believe so.
- 18 Q. You don't think it is necessary to have a pilot to
- 19 sail along the coasts, here?
- 20 A. No Sir, I think any good navigation officer could do
- 21 that.
- 22 Q. Now, what you say, would that be applicable to
- 23 Baie Comeau also?
- 24 A. Which way you mean?
- 25 Q. You took ships to Baie Comeau also?
- 26 A. Yes Sir.
- 27 Q. Would the fee be the same?
- 28 A. Many of us took ships to Baie Comeau, all the ones,
- 29 I think, Quebec North Shore was agent for; I believe other pilots took
- 30



ships for almost 6 years, - I don't know what they gave those men, but all the ones I did, where the Quebec North Shore was the agency, there was a standard fee of \$ 150.00; and then again, we paid all our own expenses.

MR. R. KNOWLTON SMITH,
Commissioner:

Q. There is just a question I would like to ask: This afternoon, there was some evidence given by a witness here that the primary purpose of pilotage in Seven Islands was not safety so much as - I don't know whether it was traffic control or protection of the installations or some other reasons.

Is it to your judgment that pilotage in the harbour of Seven Islands is a necessity from the main point of navigation?

A. The question would have to be answered in two parts, I think, your Lordship:

I think, for a foreign vessel or a salt-water ship, or a deep-sea vessel, I believe the pilotage would be a necessity for a man who is not familiar with handling ships...

Q. The primary purpose?

A. I would say: Security, safety would prime anything. Efficiency might come into line, but I would say: Security would prime over all.

THE PRESIDENT:

Q. For big ships who would want to go Eastern of here, would there be any need for coastal piloting?



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L.M. DUSSAULT,
Inquiry,
EX. - 192

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3 A. There again, it all depends where they are going,
4 what ports; if they are going into small ports...

5 Q. No, off Anticosti Island?

6 A. If they are going along the coasts, I don't believe
7 they need any help.

8 If they go inside where there is these shoals, they
9 need local knowledge that knows these parts.

10 Q. All along the North Shore coast, it is not coastal
11 pilotage that is necessary, it is dock pilotage?

12 A. That's right.

13
14 AND FURTHER DEPONENT SAITH NOT.
15
16

17 I, the undersigned, Court Reporter,
18 hereby certify that the above is a true
19 transcript of my shorthand notes.
20

21 G. OSCAR BOISJOLY,
22 Court Reporter
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ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. D.C. HOWE, at sea,
8:00 P.M.

On the nineteenth day of May, the year,
nineteen hundred and sixty three:

JOSEPH ANATOLE GASTON ROUSSEAU, age 44,
being duly sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. What is your profession?

A. I am a St. Lawrence pilot.

Q. Upper or lower?

A. Lower St. Lawrence.

Q. How long have you been a pilot?

A. 10 years.

Q. And had you had previous experience before becoming
a pilot?



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J. A. G. ROUSSEAU,
Inquiry,
EX. - 194

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A. Yes Sir.

Q. Do you hold any certificate of competency?

A. I hold a master mariner certificate.

Q. When was it granted?

A. It was grantedI haven't got it with me, I didn't know I was going to be questioned - It was granted somewhere around 1946, I believe.

Q. 1946?

A. In Yarmouth, Nova-Scotia .

Q. Did you ever serve as a master of a vessel?

A. Yes Sir.

Q. How many years?

A. I would say: 6 or 7 years.

Q. On what types of ships?

A. All foreign going ships.

Q. Where did they trade?

A. They traded worldwide.

Q. Now that we have you on the stand, we will ask you a few questions which have no relation to Havre St-Pierre at all: When you were master of foreign going ships trading all over the world, I suppose you had occasion to take pilots to board?

A. Many times.

Q. In the Suez Canal?

A. I did.



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J. A. G. ROUSSEAU,
Inquiry,
EX. - 195

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Q. Panama?

A. I did.

Q. Manchester?

A. Not Manchester - Liverpool.

Q. Kiel Canal?

A. Kiel also.

Q. Would you state to the Commission the exact work which was done by the Panama Canal pilot?

A. The Panama Canal pilot, I believe, Panama Canal is the only place in the world where the pilot will take charge completely of the vessel, he is not a servant to the ship...

Q. I must stop you there, this is a conclusion. I want to know what the man did?

A. He conned the ship.

Q. To whom did he give orders?

A. To the man of the wheel, I believe, and the officer.

Q. The officer on the bridge, on watch. Would that be the same in Suez Canal?

A. No Sir.

THE PRESIDENT:

Q. I think the taking over is even more than that in Panama Canal?

A. Panama Canal is the only place where the captain is not responsible if an accident happens. The pilot is employed by the U.S. Government, and I believe the pilot is responsible at all times.

It is the only place I know.



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TORONTO, ONTARIO

J. A. G. ROUSSEAU,
Inquiry,
EX. - 196

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Q. What about the crew?

4

A. They put linesmen aboard, forward and aft.

5

MR. MAURICE JACQUES,

6

Counsel for the Commission:

7

Q. All right, the Commission seems to be interested
in Panama Canal; when you go through Panama Canal, you go through

9

the locks?

10

A. We do.

11

Q. How many locks do you go through?

12

A. By Golly.....three locks.

13

Q. Their names?

14

A. There was the Gatton....you are asking me from
memory.

16

Q. The Mistral, and the other one, I don't know.....

17

Miaflore. Now, would you tell us how a ship goes through a lock in the
Panama Canal?

19

A. The pilot approaches the lock, and when they are
very close to the wall, the linesmen which are employed by the Canal
heave on, and they hook this heaving line to a wire which is made fast
by a donkey, an electric donkey...

23

THE PRESIDENT:

24

Q. What they call "a mule"?

25

A. A mule, yes, and they put these wires forward and
aft, and each side of the vessel, and then, they take the ship in the lock.

27

28

MR. MAURICE JACQUES,

29

Counsel for the Commission:

30



1
2 Q. And these mules, would they be winches?

3 A. They are just like a speed car, with cogs underneath.

4 Q. What is the purpose of these mules?

5 A. To keep the ships in the centre of the lock whenever
6 they are flooding or lowering the ship, and also to keep them from the
7 wall and from the gate.

8 Q. Would the same process apply in all three locks?

9 A. I believe so, yes.

10 Q. And now, when you are not in the locks, in the Canal,
11 what type of navigation takes place?

12 A. Between those locks?

13 Q. Yes.

14 A. It is navigation, about the same type of navigation
15 as you would have in Kiel Canal; it is narrow and between shores, the
16 same as CapeCod Canal.

17 Q. Between narrow shores?

18 A. Yes.

19 Q. Coming back to Suez Canal...?

20 A. Suez Canal, that's a different matter. We used to
21 tie up at Suez, if we are going East, we tie up to a buoy and they would
22 come first with a big search-light to show the banks, at night.

23 They would also have these people coming aboard
24 with some kind of a boat which these people would use to take the lines
25 ashore, if we had to make fast at night, going up.
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3 Q. You carried a boat crew with you?

4 A. Yes, I think there was three or four Arabs which
5 we used to lower in the boat, on the water, they would row ashore and
6 climb on the bank and make fast our lines.

7 Q. What about the passage through the Canal?

8 A. Passage through the Canal, it is straight-going
9 between two banks.

10 Q. Between two banks?

11 A. Yes Sir, and they have, if I remember right, another
12 pilot which takes us to the middle Lake.

13 Q. You changed pilots at Bitten?

14 A. Ismalia.

15 Q. And would you describe a crossing of Kiel Canal?

16 A. Kiel Canal, we used to get our pilot at the number 3,
17 and he used to take us to BrunsButtel.

18 From there, there was another pilot to take us to
19 the lock, and there was a lock at the other end.

20 Q. When you go through those locks, are you assisted
21 by donkeys similar to the ones in the Panama Canal?

22 A. No.

23 Q. How is the ship piloted?

24 A. Going through Kiel - it is a few years now - but these
25 people used to come aboard with their own wheelmen and the pilot is a
26 wheelman who was used to steering the ship; they wouldn't leave the
27 steering of the ship to the Quartermaster.



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3 Q. Now, in Kiel Canal, would the pilot be giving the
4 orders direct to the wheelsman?

5 A. He would be giving the same orders as we do here
6 on the St. Lawrence.

7 Q. Suez Canal?

8 A. Suez Canal, it would be the same, but I recall that
9 the master had to sign some kind of waiver in case of accident; the
10 master was responsible and not the pilot.

11 Q. Now, Sir, apart from these three places where you
12 were master of a ship, when you entered any port, whether you were
13 familiar with the port or not, if there was a pilot available, did you take
14 a pilot on board?

15 A. I did, Sir.

16 Q. Why?

17 A. Because the man was there offering his services,
18 I knew he would have local knowledge which I wouldn't have.

19 Q. What about ports with which you would be familiar?

20 A. Even then, I took them.

21 Q. Why?

22 A. The same reason I just gave.

23 Q. Didn't you feel you had sufficient knowledge to take
24 your own ship in?

25 A. I could give this instance for example: The last
26 year I was master on a foreign going ship, the company that I worked for
27 got a contract to carry titanium to Sorel from Havre St. Pierre, and then,
28
29
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3 I was very familiar with the St. Lawrence River...

4 Q. Had you served as an apprentice?

5 A. In the meantime, yes - and I employed the pilot.

6 Q. Why?

7 A. Because, first of all, I couldn't carry the burden
8 of piloting my ship up the river all that way, up to Sorel.

9 Q. How many hours was it?

10 A. 16 hours to Quebec, depending on the tide, and about
11 12 hours to Sorel, and I had to do my navigation.

12 Q. Did you have officers with you on that ship?

13 A. I did.

14 Q. Why could they not take over from you?

15 A. Where?

16 Q. On the river?

17 A. Because the master of the vessel is responsible.

18 Q. Weren't your officers qualified?

19 A. They were, the mate had a foreign going certificate.

20 Q. Why could they not take over?

21 A. The ship? Because I would not allow them to.

22 Q. Why?

23 A. Because I want my ship to get to Sorel, I had a
24 contract to fulfil, and I did it.

25 Q. Is it because you felt that they were not able to
26 take the ship down a river or up a river?
27
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J.A.G. ROUSSEAU,
Inquiry,
EX. - 201

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3 A. The officers that I had were all foreign going men,
4 and they had no knowledge of the St.Lawrence whatsoever.

5 Q. How many trips did you do to Sorel?

6 A. 33 or 34.

7 Q. Did you have the same officers all the time?

8 A. No. Mr. Cummings that we saw yesterday was mate
9 with me at one time.

10 Q. Would it be fair to say, then, that in your experience,
11 the ships officers would not have the necessary qualifications to take over
12 a ship on the St.Lawrence River and pilot the ship during their watch?

13 A. I don't think, first, that it would be fair to ask him
14 to do such work.

15 Q. Why?

16 A. Because they don't know the local conditions of the
17 river.

18 Q. Couldn't they get to know these conditions?

19 A. Well, to be a pilot on the St.Lawrence River, I was
20 an apprentice 6 years.

21 Q. 6 years. And how many trips did you make a year?

22 A. I made something like 40 trips a year.

23 THE PRESIDENT:

24 I wonder if it is fair to go further into the matter
25 which will be dealt with in Montreal.

26
27 MR. MAURICE JACQUES,

28 Counsel for the Commission:
29
30



1
2
3 Q. Did you ever take ships to Havre St-Pierre?

4 A. I took that ship I was master of.

5 Q. How many trips did you make to Havre St-Pierre?

6 A. 33 or 34.

7 Q. And what was the tonnage of that ship?

8 A. She was.....We carried 11,000 tons.

9 Q. What was her draft?

10 A. We had a draft of 29 feet.

11 Q. Loaded?

12 A. She was, for that trade - she was on inland articles;
13 therefore, we could load her to tropical fresh water; that is, we were
14 allowed to.

15 Q. And would you describe the facilities of Havre
16 St-Pierre?

17 A. Well, I am talking now for 11 years ago.

18 Q. Yes?

19 A. I don't know the conditions in Havre St-Pierre right
20 now, and what I say was 11 years ago, I hope these people don't read this
21 and find me wrong.

22 Q. We will check?

23 A. 11 years ago, when I first went there, the ship Mont
24 Alta had been there for about three trips in the Fall of the year, and the
25 port was just being organized.

26 When I got there in the Spring, there was no
27 facilities to enter whatsoever, no leading lights, no ranges, of course,
28 no buoys, and we had to do the best we could until we could get organized.
29
30



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TORONTO, ONTARIO

J.A.G. ROUSSEAU,
Inquiry,
EX. - 203

1
2 Q. Did you have to go through a channel to get in?

3 A. Yes Sir.

4 Q. How long would that channel be?

5 A. It was not very long, you had to go through a channel
6 called Walrus Channel, on the Eastern side; and the other side, I don't
7 think there was a name to the channel.

8 Q. How wide would the channel be?

9 A. It wasn't very wide. I may look on the Chart....
10 one third of a mile.

11 Q. The witness refers to Chart 4480?

12 A. About one third of a mile, half a mile.

13 Q. And how long would that channel be?

14 A. About a couple of miles, three miles.

15 Q. Were there buoys at that time?

16 A. No Sir.

17 Q. Throughout the time you went there, were there
18 buoys at all?

19 A. Yes, there was, afterwards, we asked the D.O.T.
20 to put up some leading lights and some buoys.

21 Q. And how much water would you have available in
22 the channel?

23 A. In the channel, I don't remember, but at the pier,
24 it was about 30 feet.

25 Q. And you loaded to how much?
26
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TORONTO, ONTARIO

J. A. G. ROUSSEAU,
Inquiry,
EX. - 204

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A. About to 30 - 29.6

Q. Were there any minor difficulties in handling ships inside the harbour?

A. It was quite a hard proposition, yes.

Q. Why?

A. Because I was on a typical foreign going ship, not rigged for hauling iron ore; we had hardly any ballast tanks, and she was a foreign going ship.

Q. Would there be any particular outstanding danger to navigation, outside of that?

A. It was narrow, and the current was strong, and if it was windy, with no ballast, it was very tough.

Q. What about the velocity and the direction of the current?

A. It is the same here as at Seven Islands, it depends on the prevailing wind. If it blows from the Northeast for a while, of course, there is a danger there also.

Q. Is it affected by the tide?

A. Yes, I think the tide is about 2 or 3 knots.

Q. Now, in your opinion, you were there without any local knowledge at all, were you not, at first...?

A. The only thing I had: They gave me a photograph of the place when I left.

Of course, I took my time to go in.



1
2
3 Q. It took you how many trips to become familiar
4 with the place?

5 A. It took me quite a few trips.

6 Q. How many, approximately?

7 A. Well, it was different, I guess, every time I went
8 there, it was different; sometimes, I had to go through the East side,
9 or I would go through the West side, and sometimes I had to wait
10 outside for the wind to let down.

11 Q. To the best of your knowledge, are there any pilots
12 at Havre St-Pierre?

13 A. I don't think so, no.

14 It is a one-ship proposition, this Havre St-Pierre,
15 or a two-ship proposition. They load a ship, and then the ship goes away,
16 and the next one may be later on.

17 I was alone, at that time, as a matter of fact.

18 MR. R. KNOWLTON SMITH,

19 Commissioner:

20 Q. I should like to ask one question: You had experience
21 in piloting ships in Seven Islands, Baie Comeau, not Port Cartier because
22 there was only a bit of shore line when you were operating down the
23 coasts, but Baie Comeau and Seven Islands, you had experience in piloting?

24 A. No Sir.

25 Q. You had no experience?

26 A. No Sir. Captain Dussault was doing piloting work,
27 he was an apprentice and I was a pilot, I was making a living as a pilot,
28
29
30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

J.A.G. ROUSSEAU,
Inquiry,
EX. - 206

1
2 so we gave him a chance to go there and make a few dollars; so, I
3 went only to Baie Comeau once.
4
5
6
7

8 AND FURTHER DEPONENT SAITH NOT.
9
10

11 I, the undersigned, Court Reporter,
12 hereby certify that the above is a true
13 transcript of my shorthand notes.
14

15 G. OSCAR BOISJOLY,
16 Court Reporter.
17

18 Adjourned to Gaspé, May twentieth,
19 9:00 A.M.
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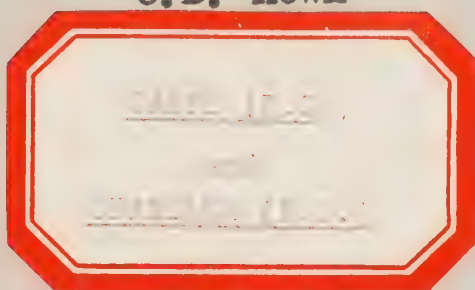
ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT
ON BOARD
C.D. HOWE



VOLUME No.: 3 CDH

DATE:

May 20, 1963

OFFICIAL REPORTERS
ANGUS, STONEHOUSE & CO. LTD.
BOARD OF TRADE BLDG.
11 ADELAIDE ST. W.
TORONTO

364-5865

364-7383



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Gaspé,
10:00 A.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

LUCIEN EDOUARD DORAIS age 41, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES

Counsel for the Commission:

Q. Your occupation?

A. Collector of customs.

Q. As such, have you personal knowledge of any
pilotage which is done in Gaspé?

A. Yes, as collector of customs, I meet the vessels,
first of all, when they enter the category that use the services of pilots,
and I know they are on board.



1
2
3 Q. You know they are on board?

4 A. Yes.

5 Q. Do you receive requests from ships for pilots?

6 A. Occasionally, I do receive them, and since it is
7 not my function to supply pilots, I usually go to the local agent, I pass
8 the information on to the local agent when I receive such a request.

9 Q. And do you know how many people specialize
10 in such a job as piloting?

11 A. I believe there are four or five who do that type of
12 work.

13 Q. Who do that type of work?

14 A. Yes.

15 Q. Now, in your capacity of collector of customs, would
16 you be able to tell us what type of ships use pilots?

17 A. The ocean going freighters that come here to pick
18 cargo for foreign ports.

19 Q. They would use pilots?

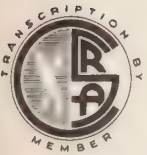
20 A. Yes.

21 Q. Would they use consistently pilots, eventhough they
22 may make several trips, or would this be occasional?

23 A. These ships, I would say, use pilots every trip they
24 make here for that type of cargo and that type of trade as carrying trade.

25 Q. Now, how long has this been going on?

26 A. As far as I know, this has been going on since I have
27 been here; I have been here since 1953.
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L. E. DORAIS,
Inquiry,
EX. - 209

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Q. Since 1953, there has been pilotage of some kind?

4

A. That's correct, the same pilotage as we have now.

5

Q. Has the number of pilots always been the same?

6

A. Yes, and just about the same chaps who do it now.

7

Q. Would you know their names?

8

A. I recall some of them: There is Wallace Roberts, Norman Roberts, Harold Roberts, I think he is just recent, if I am not mistaken.

10

11

I am not sure if there isn't another one; I can remember Clarence, Wallace and Norman, and lately, Harold.

12

13

Q. Roberts?

14

A. Yes, they are all Roberts.

15

I can't recall any other. There may be one or two more, but I can't recall.

16

17

Q. Would you have personal knowledge of their other occupations, if they have any?

18

19

A. They fish by trade, although they may have other land, shore occupations.

20

21

Q. And you have no knowledge of that?

22

A. No, I don't know who they work for.

23

Q. Would you have knowledge of the prices charged for pilotage?

24

25

A. I can't be quite certain; I think it is \$ 3.00 a foot.

26

I can't be quite certain. That is, \$ 3.00 a foot draft.

27

I think that's what they charge, but I can't be sure.

28

29

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L. E. DORAIS,
Inquiry,
EX. - 210

Q. What types of ships would use pilots here? You said:
Foreign going ships?

A. All foreign going ships that come here, foreign trade.

Q. And what would be their approximate tonnage?

A. Net tonnage would be about from 2,500 tons upwards
to about.....we have had some 5,000 tons. Anything up to about 5,000 tons,
net tonnage.

Q. What would be the destination?

A. Italy, Holland, Germany, England.

Q. To the best of your knowledge, have any Canadian
or coastal ships used any pilots here?

A. Not to my knowledge.

MR. R. KNOWLTON SMITH,

Commissioner:

Q. What cargos?

A. Pulpwood, pit props.

Q. No ore?

A. The ore doesn't go foreign from here, Sir, no; it
might be, coasting.

We have incoming copper concentrate, but that's
coasting again, from Newfoundland to Gaspé.

It is carried on British ships, ships registered in
England, overseas, and who take up coasting here.

MR. MAURICE JACQUES

Counsel for the Commission:



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TORONTO, ONTARIO

L. E. DORAIS,
Inquiry,
EX. - 211

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Q. Do they use pilots?

A. On the first trip, they used a pilot, that's all, as far as I know, after the first trip, they don't.

MR. R. KNOWLTON SMITH,

Commissioner:

Q. Is there any traffic with regards to Gaspé copper?

A. Incoming concentrate for the Gaspé copper.

MR. MAURICE JACQUES

Counsel for the Commission:

Q. What about out going from Gaspé copper mining?

A. Some of it goes out here, but they generally use the railroad.

Q. Shipped by rail?

A. Shipped by rail, mostly; only occasionally, a ship.

MR. H. ALEXANDER RENWICK,

Commissioner:

Q. Could we have an idea of the volume of traffic?

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Are you able to supply that?

A. The volume of traffic?

Q. In tonnage?

A. For all coastal boats, here?



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L.E. DORAIS,
Inquiry,
EX. - 212

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Q. Well, you could separate them: Foreign and coast-wise. Could you do that?

A. No.

Q. What information could you supply in that field?

A. It would be.....I might not give accurate figures; I would have to find it from the records.

Q. This has been requested from D.B.S., for Ottawa.

MR. R. KNOWLTON SMITH

Commissioner:

Q. For local information, are there many ships? All of those ships?

A. The coasting ships I have, 120 and some, coasting ships, vessels that come in.

THE PRESIDENT:

Q. A year?

A. In the season, yes. And foreign, there would be probably around 20 foreign incoming ships.

MR. R. KNOWLTON SMITH,

Commissioner:

Q. Thank you, that's the general information I would like to have.

MR. MAURICE JACQUES,

Counsel for the Commission:



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TORONTO, ONTARIO

L.E. DORAIS,
Inquiry,
EX. - 213

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Q. Would that be 20 ships or 20 trips?

A. 20 ships, they don't come back.

THE PRESIDENT:

Q. You just mentioned: "In a season". What is your season?

A. It will start this week, until the end of December.

Q. Why only this week?

A. Because this is the time the first one will come, the cargo is ready, and the ship is available now.

Q. Does it mean that before that, it is ice-bound?

A. No, but the wood wasn't quite ready in the yards.

MR. MAURICE JACQUES

Counsel for the Commission:

Q. What about tankers? You may have several?

A. Yes, we have several tankers, they come in the terminal here to supply the various oil companies.

Q. Are they coastal tankers?

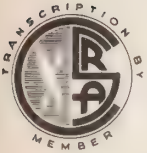
A. Yes, Imperial Oil and British American Oil tankers.

Q. And they don't use pilots?

A. No, not to my knowledge.

THE PRESIDENT:

Q. Is the harbour or the port ice-free during the whole Winter?



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3 A. No, the harbour is ice-stopped, it varies with the
4 season; normally, I would say the end of January it begins to ice up.

5 Some Winters, it is practically free, like two or
6 three Winters ago, the traffic could have come here just about all Winter.

7 Wind conditions and all that have a lot to do with that.

8 Q. Coming back to Gaspé copper, most of their incoming
9 traffice comes through here?

10 A. It comes in here, yes Sir.

11 Q. I understand that some traffic would be carried out
12 on the St.Lawrence coasts, the South coast as St-Anne-des-Monts. Is
13 that true? Do you know that?

14 A. I believe they receive oil, this heavy oil from overseas
15 two or three ships a year are received at Mont-Louis. When inland
16 transportation is not possible, they use small coasting vessels to take
17 their product up to Montreal from Mont-Louis.

18 But as far as I know, I know nothing of Ste-Anne-des-
19 Monts.

20
21 AND FURTHER DEPONENT SAITH NOT.
22
23

24 I, the undersigned, Court Reporter,
25 hereby certify that the above is a true
26 transcript of my shorthand notes.

27 G.OSCAR BOISJOLY
28 Court Reporter.
29
30



C A N A D A

ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Gaspé

10:00 A.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

GEORGES F. ALLARD, age 55, being duly sworn
on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES

Counsel for the Commission:

Q. What is your occupation?

A. Right now, licensed-customs broker.

Q. Licensed-customs broker?

A. Yes.

Q. And apart from that, have you any occupation?

A. Retired.



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G. F. ALLARD,
Inquiry,
EX. - 216

1
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3 Q. Do you do piloting?

4 A. No.

5 Q. Do you receive requests for pilots from foreign-
6 going ships?

7 A. No.

8 Q. Have you any knowledge of pilots here in Gaspé?

9 A. I live here in Gaspé, and for a while I had a vessel,
10 and also, during the war, I was with the navy, here, tending the boom
11 defence; so, the harbour is very well known to me, the local conditions.

12 Q. Apart from that, would you have any knowledge of
13 the pilotage system here?

14 A. If you permit me, a few years ago, on my own, with
15 no political point of view, I wrote - that was the fourth of July 1958, I
16 wrote to Roland English a letter.

17 THE PRESIDENT:

18 Q. That was your member of Parliament, at that time?

19 A. Yes. In my opinion, what was needed for the port
20 of Gaspé in points.

21 I have a copy of the letter here, and the letter that
22 was written by the Department of Transport. So, I drop that to the dossier.

23 There is one on pilotage, there, article 9. I made
24 it in ten points.

25 If you have some questions, we can go through what
26 I have stated there, and I will give my point of view.

27

28

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G. F. ALLARD,
Inquiry,
EX. - 217

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3 MR. R. KNOWLTON SMITH,

4 Commissioner:

5 Will you read article 9 in the record.

6 MR. MAURICE JACQUES,

7 Counsel for the Commission:

8 Yes Sir, I am reading the reply.

9 I can translate article 9 from the letter addressed
10 by the witness to Mr. Roland English on the fourth of January 1958:

11 That the bay of Gaspé be erected in a pilotage district,
12 and that the payment of pilotage dues be compulsory within the limits. That
13 a pilotage administration be set up for this pilotage district under the
14 Canada Shipping Act chapter 44 part 6. Under the dispositions of this
15 law, each pilotage authority within its own limits, by by-laws proved by
16 the Governor General in Council has power to determine the qualifications
17 of the pilots, regulations relating to pilot boats, license pilots and
18 apprentices, fix the terms and conditions on which licenses may be
19 issued to pilots and apprentices, establish regulations for the government
20 of pilots and apprentices, establish rules to punish any infraction to the
21 by-laws, fix the rates and the mode of remuneration of pilots, ect...

22 And in answer to this paragraph - the answer to this
23 paragraph is contained in a letter addressed by Mr. M.R. Jack, executive
24 assistant, to Mr. English on June fourth 1958, and the answer reads as
25 follows:

26 "Gaspé outer harbour and approaches are unencumbered
27 by any natural difficulties and it is considered that masters and officers
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3 of reasonable skill can be safely depended upon to bring their vessels
4 into this port without the assistance of pilots. The inner harbour can
5 only service smaller local vessels whose personnel are presumably
6 fully acquainted with the locality and would not require pilots.

7 It is the opinion of the department, having regard
8 to the above and fairly limited traffic, that the establishment of a
9 pilotage district at Gaspé at this time would not be warranted.

10 Q. — What prompted you to write to your member of
11 Parliament and request that a pilotage district be set up here in Gaspé?

12 A. In the beginning of my letter, if I can translate,
13 here, I was submitting to his consideration and not intending to give
14 directive, only toamelioration of the harbour.

15 Q. Perhaps, without referring to the letter you sent,
16 why did you think there should be a pilotage district here?

17 A. Because we have only a small port, it is a good
18 port, like what happened in the past when they torn down the bridge, we
19 were two months without use of the bridge in Gaspé.

20 THE PRESIDENT:

21 Q. There was an accident, there?

22 A. Yes. Then, there was some other accidents here,
23 due to the fact, to my belief, that the pilots were not up to par.

24 MR. MAURICE JACQUES,

25 Counsel for the Commission:
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G. F. ALLARD,
Inquiry,
EX. - 219

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Q. What happened to the bridge? You say there was an accident to the bridge? Is that correct?

A. Yes.

Q. When did that happen?

A. That was in 1951.

Q. In 1951?

A. Yes.

Q. What sort of accident was it?

A. The ship came out, she was a big ship that came here with a load of salt from Antigua, and she was going out in the morning at low tide.

I don't know what happened. Anyway, she went out, and with her bridge she hooked one side of the apron. The ship-bridge hooked the apron and twisted it, and it took two months before we could use the bridge again.

Q. So, your bridge was out of operation for two months?

A. For two months, yes.

Q. Now, is that the only accident which happened here, the one to that bridge?

THE PRESIDENT:

Q. Or near accident?

A. At the time, I was collector of customs, so I had orders for this affair.

And the other ship, the Calio Anna, she was coming in with a pilot, she picked up a fisherman, and she was coming in quite



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TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 220

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fast, so the captain told me, and he told the pilot: "Don't you think you are coming in too fast?" The pilot said: " I don't touch that...

Q. That's fine, but what happened?

A. She struck another vessel here.

Q. And what was her tonnage? Her size?

A. Could I refer to Mr. Dorais, there? Around 2,000 net, I think.

Q. And she struck another ship?

A. Yes.

Q. And where did that happen?

A. Right here, right along this dock here.

Q. Off the Government dock?

A. Yes. The other ship was tied up there, and she just came in and struck her in the engine room.

THE PRESIDENT:

The witness is referring to the docks at Sandy Beach.

A. Yes, at Sandy Beach, at this dock here.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. And this Italian ship was coming alongside?

A. Yes.

Q. And the other ship was made fast at the dock?

A. Yes.

Q. And the Italian ship struck the other ship?

A. Yes.



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TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 221

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Q. And the Italian ship had a pilot on board?

3

A. Yes.

4

Q. Do you know if this man is still piloting today?

5

A. No.

6

Q. Do you know that man personally?

7

A. I did, at the time, yes; I don't know if he is; he must be too old. Mitchener, I think.

9

Q. Do you know if he piloted ships regularly?

10

A.

11

Q. Was he a regular pilot?

12

A. I don't know if it was his first one; I wouldn't give that as evidence, because I am in doubt, I am under oath, there, but I think he was the ex-light-house keeper.

15

After five or six years, as light-house keeper, he took on his mind to pilot ships here.

17

Q. Do you know out of your own personal knowledge, whether this man had gone to sea before?

19

A. Not that I know of.

20

Q. You wouldn't know whether he had any certificate of any kind to act as mate or master of a ship?

22

A. No, he didn't.

23

Q. You know he was a light-house keeper?

24

A. Yes, if I recall well, he was an ex-light-house keeper.

25

Q. Apart from these two accidents, to the best of your knowledge, has there been any other accidents here, in the port?

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TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 222

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A. No.

Q. These are the only two accidents?

A. Yes, that one, the damage to the bridge, I had to assess the ship for \$ 25,000.00.

Q. Is that the Italian ship?

A. Yes.

Q. Now, the bridge which you have mentioned, when was it built?

A. ,...I think it is 1924; I wasn't here, then.

Q. It has been therefore a long time?

A. Oh yes.

Q. I thought it was just a new bridge?

A. No.

THE PRESIDENT:

Q. It wouldn't be around 1930?

A. 1924 or 1926; I know my brother was at the beginning of his seminary, and he worked on the bridge.

Q. It is a road-bridge?

A. Yes.

Q. A Provincial bridge?

A. Yes.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Apart from these representations which you have made to your member of Parliament, to the best of your knowledge, has



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TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 223

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3 there been any other representation made by the authorities, as regards
4 pilotage?

5 A. No, not to my knowledge.

6 Q. To come back to my original question, why do you
7 think that there should be a pilotage district here?

8 A. For the protection of our own port, what I was
9 stating here, I still think; we had, for instance, some boats that unloaded
10 ammunition, we had three, and we had local ships coming in doing the
11 unloading, coming into the harbour, we have derricks, we have the
12 fishing plant, and a stranger coming in here, he doesn't know the local
13 situation in the harbour, he picks up any fisherman as a pilot, the
14 fisherman will go out and act as a pilot, and he comes in here loaded
15 with ammunition - I was working with Mr. McCallum to unload that
16 ammunition - he could come here with ammunition and blow up our
17 little harbour.

18 We are making our living out of our harbour; we
19 like the ships to come in, but with care.

20 THE PRESIDENT:

21 Q. Do you agree with the answer of the Department of
22 Transport to the effect that there is almost no hazard, and anybody with
23 just the right skill could come in without any mishap?

24 A. Oh, they take a pilot; that has been proven, they
25 ask for a pilot, a foreign ship.

26 Q. They ask for one?

27 A. Yes. So, anybody can go there and go alongside and
28
29
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G. F. ALLARD,
Inquiry,
EX. - 224

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3 let his boat go adrift, come back to Gaspé and pick up his boat later on,
4 and the boat is not in the hands of a competent man, and the master does
5 not know it, and suppose our harbour is closed up for damages, we have
6 no other one in Gaspé.

7 MR. R. KNOWLTON SMITH,
8 Commissioner:

9 Q. What degrees of competency do the people have
10 who offer their services as pilots, now?

11 A. I don't think they have any.

12 Q. They don't have any qualifications?

13 A. Not that I know of.

14 Q. Just a bit of local knowledge?

15 A. A bit of local knowledge. I know of one, Clarence
16 Roberts, I don't know if he is able to write.

17
18 MR. MAURICE JACQUES,
19 Counsel for the Commission:

20 Q. Now, this ship which hit the bridge, was she a
21 foreign ship?

22 A. Yes, she was a foreign ship.

23 Q. Did she have a pilot aboard?

24 A. Yes, she had a local pilot aboard.

25 Q. Is that man still piloting?

26 A. Yes, this is Wallace Roberts.

27 Q. Now, these are the only few accidents which you have
28 had in how many years?

29

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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 225

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A. That's 1951 and 1953, that I know of; I don't know if there were any others.

Q. For twelve years?

A. Yes. I was at sea for a while, so I don't know, really; 1953 to 1956, I was away.

Q. To the best of your knowledge, has there been any groundings of ships?

A. Yes, there were.

Q. Have you personal knowledge of that?

A. Yes, there was one went aground three years ago, by the light-house.

Q. By which light-house?

A. Sandy Beach.

Q. Sandy Beach light-house?

A. Yes.

Q. Was she a foreign ship or coastal ship?

A. Maybe, I don't know because Mr. Norman Roberts was pilot aboard, and he told me he had grounded a ship.

Q. But you have no personal knowledge of that?

A. No.

Q. You heard a ship was aground?

A. Yes, that would be better.

Q. Will you file as exhibit 296 letter addressed by the witness to Mr. Roland English in January 4th. 1958, and the reply to the same letter, dated June 4th, 1958, from the office of the Minister of Transport.



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TORONTO, ONTARIO

G. F. ALLARD,
Inquiry,
EX. - 226

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4 AND FURTHER DEPONENT SAITH NOT.
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8 I, the undersigned, Court Reporter,
9 hereby certify that the above is a true
10 transcript of my shorthand notes.

11 G. OSCAR BOISJOLY,
12 Court Reporter.
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C A N A D A

ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Gaspé.

10:00 A.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

STANLEY C. McCALLUM, age 56, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES

Counsel for the Commission:

Q. What is your occupation?

A. General contractor and steamship agent and stevedore.

Q. Now, in your capacity as steamship agent, do you
have any personal knowledge of the pilotage situation here in Gaspé?

A. It is very bad, Sir; our pilotage, the pilots are only



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 228

1
2
3 fishermen.

4 Q. But do you have personal knowledge of this
5 situation?

6 A. I have.

7 Q. Would you carry on?

8 A. Our pilots, they are not licensed, they are only
9 fisherman.

10 What happens is that the agents usually get a wire
11 from the agent in Montreal that a ship is docking at a certain date, we
12 receive the e.t.a., he arrives with the pilot, we have a shed on the dock
13 here as used by Quebec United Fishermen, and the dock...

14 Q. When you say "the dock" you speak of the Government
15 dock on Sandy Beach?

16 A. Yes. The fish is stored in there, they always take
17 the ship on the inner side of the dock here so you are set up ready to
18 load, and the ship will come and dock on the other side.

19 You look around; there is another pilot aboard, from
20 the pilot you had ranged to bring in that ship.

21 Q. How would that come about?

22 A. Then, we lose one hour, two hours, because the
23 captain doesn't listen to me, he ties up the ship, you have to tell him we
24 cannot load the ship on that side. So, he has to leave go the lines, back
25 out and go that side.

26 Q. Does that happen?
27
28
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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 229

A. Yes, quite often.

Q. Last year, how many times did it happen?

A. I would say, last year, it happened twice.

Q. On how many ships?

A. I think, probably 5 or 6 ships, altogether, last year.

Q. 5 or 6 ships altogether?

A. Yes.

Q. Would that represent the total number of foreign going ships?

A. No Sir, I am talking about the ships I attend to; there is other agencies besides myself.

Q. And this happened twice to you?

A. It happened twice last year. It happens almost every year.

Q. Have you made representations to the authorities as regards pilotage?

A. Not myself personally, I don't think so, not to my memory.

I think the harbour master has, and I would say, with the former M.P. some years ago, which was Léopold Langlois at that time, and at that time they didn't figure we had enough traffic to warrant a pilotage district.

Q. So, he wasn't successful?

A. We didn't have the traffic, but now, we have the traffic.



S.C. McCALLUM,
Inquiry,
EX. - 230

Q. In your experience with the ships you handle, do foreign going ships make it a rule to take a pilot?

A. Well, it is this way: They are taking the ship at their own risks, although it is not compulsory.

Q. Do they always ask for a pilot?

A. All the time, there is a question, usually, when they bring in a ship, and the master sees the harbour, then, he will say: "I don't need a pilot to go out," but that pilot has stayed here to take out that ship, and the masters, they are at odds.

Q. Why?

A. The agent has to explain to the master that the fellow stayed up all last night to take him out; if he doesn't take him out, we will have to charge him the same, \$ 3.00 per foot, which is high.

Q. Are these rates your own rates?

A. No, the pilot's.

Q. Are the pilots grouped into one form of association?

A. No.

Q. How have these rates been established?

A. I think, by the pilots themselves, more or less.
Here, I have one...

Q. Could we file this as an exhibit?

A. You could, Sir.

Q. Number 297, invoice from Stanley C. McCallum to Montreal Shippers, dated November 5th, 1962, concerning pilotage of Marie Fausta G.

Now, you mentioned that sometimes, a ship will



S.C. McCALLUM,
Inquiry,
EX. - 231

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4 take a pilot coming in but not going out, it will dispense with the services
5 of the pilot?

6 A. Yes.

7 Q. And you would have arguments with the master, and
8 you insisted, or the pilot insisted he pay for the pilotage in and out also.

9
10 A. That's right.

11 Q. When he took a ship in, did it happen that the master
12 say: All right, I will pay the pilotage dues for going out, but I don't
13 want the pilot?

14 A. Well, he signs his bill subject to the owner's
15 approval; if there is discussion with the particular employee, he will
16 sign under protest, subject to owner's approval.

17 Q. But does he still use the pilot going out?

18 A. Yes, we have had cases in the past, that they did
19 not take the pilot.

20 Q. Did they sign the bill?

21 A. They signed the bill and the pilot got paid in full.

22 Q. How long has this rate been in force?

23 A. I will refer to Mr. Allard - I think it was changed
24 during his term of office. It used to be \$ 2.50 or something above \$ 2.00.
25 What year was that in?.....I think it is in 1952.

26 There is one pilot to bring in the ship, but there is
27 always two involved, because naturally they have to meet the ship with a
28 small boat.



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 232

Q. Is there a charge for that boat?

A. That's right. So, the pilotage fee, at all times, is somewhere between \$ 12.00, \$ 20.00, \$ 50.00.

Q. But there is no separate charge for the pilot boat.

A. No.

Q. So, there is one charge?

A. One overall charge.

Q. That includes the services of the pilot and the use of the pilot boat?

A. And taxi.

Q. All expenses?

A. All expenses.

Q. Now, would you have in your files - could you give us statistics as to the traffic that you have handled as agency, of ships which have taken pilots?

A. You mean...?

Q. The number of ships that take pilots?

A. They all take pilots.

Q. All your ships?

A. We handle several ships during the year, and all the ships take pilots.

Q. Do you handle coastal traffic?

A. No.



S.C. McCALLUM,
Inquiry,
EX. - 233

Q. Only deep-sea traffic?

A. Only deep-sea traffic.

Q. Would you prepare, for the last year, a list of ships for each month, giving for each month the name of the ship, her net and gross tonnage, her designation, and - you say they all take pilots?

A. Yes.

Q. They all paid for the pilot?

A. Yes.

Q. But did they all take pilots?

A. They all took pilots, all of them.

Q. None of them berthed without taking the pilot?

A. No.

I would like to mention in particular explosive ships; this was in December, 17th. or 18th.

Q. What year?

A. 1962. This ship came in here, a German ship, she had T.N.T. and pantolite.

Q. How many tons did she have on board?

A. You may check on this with the customs office - 8 or 9,000.

This ship anchored above the light, here...

Q. Which light?

A. The Sandy Beach light.

Naturally, the anchor was frozen over, and she ran up in the ice and required two small coastal ships to charge the cargo and bring it here.



S.C. McCALLUM,
Inquiry,
EX. - 234

The ship wasn't allowed to dock with 9,000 tons.
400 tons had to be taken out.

Now, the pilot brought the ship as far as there.
Naturally, she didn't need a pilot from there to here, because the ship
had to be towed, she wouldn't use her propellers due to damage in her
propeller in the ice.

The pilot insisted that he stay aboard, and the
master didn't require him. I paid the bill, but I am still not paid for
that. An overall charge of \$ 140.00 for that particular job.

Q. For that particular job?

A. Yes.

Q. Do you have tugs, here?

A. No, we have no tugs.

Q. And when you have to draw a ship alongside, or
help a ship alongside, what do you do?

A. One of the coastal boats tows in the ship.

The pilot was aboard...

Q. Now, I understand that you receive requests for
pilots, and when you receive a request for pilots, do you choose the pilot?

A. At all times.

Q. All all times?

A. At all times, yes.

Q. Do you choose from a given number of people?

A. No, we usually - myself, I usually choose these two
particular men we use, two Roberts.



S.C. McCALLUM,
Inquiry,
EX. - 235

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4 Q. And do you know what qualifications they may have?

5 A. Well, they are fishermen; they cannot take over a
6 ship, they cannot go to the wheel to take over; they tell the master where
7 he is to go.

8 Q. Do they have any certificate?

9 A. None whatever. The masters of these ships, they
10 say that the pilot is not a pilot, he is a fisherman.

11 Q. They are fishermen?

12 A. That's right.

13 Q. Now, before you decided to choose them, did you
14 check into their background?

15 A. There is no background.

16 Q. There is no background?

17 A. Certainly.

18 Q. You know that the ships they bring out are fishing
19 boats?

20 A. That's right.

21 Q. You know their moral qualities?

22 A. That's right.

23 Q. It is not a very large city, you know these men?

24 A. No.

25 Q. You know they are trustworthy?

26 A. Yes.

27 Q. Do you inquire into their seamanship, their knowledge
28 of ship handling?
29
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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 236

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3 A. We already know that.

4 Q. You already know that?

5 A. Yes Sir.

6 Q. You have seen them at work?

7 A. That's right, and most of them, it is not too good,
8 some of them like a drink, maybe they end up to take a ship under the
9 influence of liquor.

10 Q. Does that happen?

11 A. It happens, sure.

12 Q. Have you had knowledge of that? Have you seen the
13 pilot drunk?

14 A. Many times.

15 Q. What do you do then?

16 A. What can we do?

17 Q. I am not asking you what you can do; what do you do?

18 A. Nothing. We put up with it.

19 Q. You put up with it?

20 A. Sure. Probably give him hell, and probably, the
21 next time, you have to take him again.

22 Q. And you wouldn't change to another pilot?

23 A. When you want to change, possibly the other pilots are
24 out fishing.

25 Q. What about those two pilots of yours; do they do
26 only piloting?

27 A. No, they go out fishing.
28
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S.C. McCALLUM,
Inquiry,
EX. - 237

Q. If they are out fishing, what do you do then?

A. You let them know ahead of time.

Q. How much notice would you require?

A. We usually give them 36 hours, or even a few weeks ahead.

Those pilots, they know there is a boat coming, but they are never sure what time the boat will e.t.a. at Gaspé, because we are advised from Montreal that this boat is coming, to look after it.

Q. We have heard of these two accidents, one ship hit the bridge and another hit a ship here alongside this Government dock where we are now.

Have you personal knowledge of these accidents?

A. Only the one in 1959, I had the ship coming in, she struck the side of the wharf, here, or the end of the wharf.

Q. Did she have a pilot on board?

A. She had a pilot on board.

Q. And to the best of your knowledge, - did you see the pilot at the accident?

A. Yes, I mean, no, it wasn't the pilot I heard, it was another chap.

Q. Was he, to the best of your knowledge, under the influence of liquor?

A. Not that man, he is a teetotaler, that man.

Q. How much damage was done to the dock?



S.C. McCALLUM,
Inquiry,
EX. - 238

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4 A. I couldn't tell you that off-hand; the Government,
5 the Department of Public Works made an estimation.

6 Q. Did the thing collapse?

7 A. No, the buoy of the ship came into the end, here.

8 Q. How far did they go into the dock?

9 A. Not very far; she pushed in the outter facing.

10 Q. Was any damage done to the ship?

11 A. I don't remember that, Sir.

12 Q. Do you recall what the weather was like, then?

13 A. It was at night.

14 Q. Do you recall if it was a windy night?

15 A. I think it was blowing some.

16 Q. In what month did it happen?

17 A. I couldn't say....it was in the Fall of the year.

18 Q. Do you recall if visibility was decreased in anyway?

19 A. No.

20 Q. What was the size of that ship?

21 A. I couldn't give you her net tonnage.

22 Q. Or dead weight?

23 A. About the size of the Maria Fausta G.

24 Q. It should be a ship drawing about 19 feet? 18 to 19
25 feet?

26 A. To my knowledge,it could be.

27 Q. Have you knowledge of any other accident which may
28 have happened? As recently as possible?
29
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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 239

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4 A. Yes, I was loading a lake boat, one of those lakers
5 with pulpwood, here - that's way back in 1940, sometime, just ahead here.

6 Q. "Here" you mean: the Government dock?

7 A. The same dock and the same side where this ship
8 is.

9 Q. Port side too?

10 A. And this passenger ship was coming in, an Italian
11 ship, she had a pilot aboard, and he ended up in the side of our ship.

12 Q. Did you see the accident happen?

13 A. I was right above, overseeing our work.

14 Q. You were aboard your ship?

15 A. Aboard the ship, yes.

16 I don't know the damage, but there was.....there was
17 probably a case over that.

18 Q. Did you meet the pilot of the Italian ship immediately
19 after the collision?

20 A.I did.....I don't remember now just which pilot
21 that was; I think that was the same man that hit the end of the dock, here.

22 Q. To the best of your knowledge, was he under the
23 influence of liquor?

24 A. No, he is a teetotaler, that man. A very conscienciu
25 person, but he just doesn't seem to handle ships as well as the other men,
26 he just doesn't have the experience.

27 MR. R. KNOWLTON SMITH,

28 Commissioner:
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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

S.C. McCALLUM'
Inquiry,
EX. - 240

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4 Q. Mr. Jacques, I would like to ask the witness at this
5 point to clarify something in my own mind as to the process. Correct
6 me if I am wrong in any statement I make: I understand it goes like
7 this: The agent in Montreal or New York gets in touch with a broker here
8 and advises the broker that the ship is going to arrive at a certain time,
9 and they want the services of a pilot.

10 Somebody gets in contact with the pilot or the
11 fisherman, whatever you call him, and he goes out to the ship and he
12 offers his services. Sometimes, it is accepted, and sometimes it is
13 refused.

14 If it is accepted, everything is all right, and agreement
15 insues.

16 You mentioned yourself you got stuck for a fee of
17 \$ 140.00, something like that?

18 A. Yes.

19 Q. Is that the process in this very much unorganized
20 district?

21 A. It is, but Montreal will never act, we act as sub-agent
22 for Shipping Limited or Saguenay Shipping, any of those companies, and
23 the pilot is always asked for by wire, it could be by the master himself,
24 personally; they get a wire from him giving his e.t.a. at Cape Gaspé.

25 Q. The master asks for the pilot?

26 A. That's right.

27 Q. When the pilot goes out and offers his services, does
28 the master always accept the services?
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S.C. McCALLUM,
Inquiry,
EX. - 241

A. Yes, they do. We started this last year, giving the master the name of the pilot he is to take. However, that doesn't turn out because our pilot's names are Roberts, and there is many Roberts. So, what happens is this: They go aboard, they say. "My name is Roberts," so, the master thinks everything is o.k. and he takes him.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Have you ever thought of giving him a document of some sort which would be similar to a license?

A. How can we do that? We haven't got the authority to do that; that's the Department of Transport.

Q. Yourself as an agent, have you thought of giving a pilot a piece of paper with your letterhead, addressed to the master of the ship, stating: This is the pilot which has been retained for you?

A.

THE PRESIDENT:

Q. As a credentials?

A. We don't get the same ships here all the time. This ship is coming down the gulf or the upper Lakes; how are we going to give the master this.....the Montreal agents, they don't recommend any pilot.

Q. What counsel means is that you could give the pilot a credentials to be shown to the master?

A. I know that we could give him a credentials, but, this happens again in many cases, the master of the ship, the first pilot



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 242

that gets there, he takes him aboard.

Now, some of the pilots are equipped with a large boat, they meet these ships as far below as Cap-des-Rosiers.

Q. Way out at sea?

A. Way out at sea, and the other people we have contacted as early as a few days previous are waiting for the ship to come here.

I think, as shipping agent, that something should be done about that.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. How long has this situation been going on?

A. I have been handling ships for thirty years say - it has been going on during my thirty years.

Q. It has been longer than that?

A. Yes.

Q. Now, we have filed as exhibit 296 correspondence exchanged between Mr. Allard and Mr. English concerning pilotage. Are you aware of the representations which Mr. Allard made to Mr. English?

A. No Sir.

Q. Would you know the names of other agents handling deep-sea ships?



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 243

A. Yes, we have H.S. Leboutillier, we have Charles H. Davis, Gaspé; we have Anderson, George Anderson, he is in the export business in the world; their office is not here, they have a man here, they handle ships here.

THE PRESIDENT:

Q. Where would their office be?

A. In Charlottetown, and they have an office in Montreal as well.

Now, we have the oil companies; they have very large tankers come in here. Imperial Oil, British American and Shell.

Q. Irving?

A. Not yet, but it is a possibility they will come.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. And apart from that, are there anymore?

A. We have Petrofina here, and we have White Rose; but not with the marine terminal.

Q. With the...

A. Not with the marine terminal. Imperial, Shell and British American.

Q. Are there any other agents, here?



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 244

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A. Besides those oil companies?

Q. Besides those which you have mentioned?

A. Not to my knowledge, I don't think so.

We have Gaspé Copper Mines that is handling concentrate which you see on the wharf here, on the top of the wharf, and that is something I would like to mention. That this wharf is in a tremendous shape in the Summer, due to the concentrate. It blows all over the dock, and there is nothing done.

Q. Have you got a warfinger?

A. Yes.

Q. Do you have a harbour master?

A. Yes, we have a harbour master.

Q. Have you ever complained to the harbour master?

A. We all complain, Sir.

THE PRESIDENT:

Q. Have you complained to the warfinger?

A. We have complained to the warfinger.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Have you complained to these people?

A. I have mentioned it different times, myself.

Q. You have never written a formal complaint?



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 245

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A. No.

Q. Why not?

A. I don't know. Probably, someone would complain and it slipped my mind.

And the traffic, I think our wharf is too small; this wharf should be enlarged.

If it is any interest to you, I would like to mention that we receive a wire that a ship is coming in. We are expecting the ship, and this is arranged with the warfinger.

When the ship is about to come in, probably the side of the dock here is filled with fish draggers, we have probably 45 or 46 fish draggers, now, and they have no place to go.

Q. What about the harbour master? Does he assign places to draggers?

A. It is the warfinger, but there is nothing the warfinger can do. I used to be the warfinger here.

Q. Does your harbour master do anything about that?

A. The harbour master has nothing to do with the operation of the wharf; it is the warfinger.

Q. Is there any concentrate shipped from this Government dock here?

A. Not shipped - landed here.

Q. Do you know if your warfinger does anything as regards this concentrate?



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TORONTO, ONTARIO

S.C. McCALLUM,
Inquiry,
EX. - 246

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4 A. Yes. What happens, we walk in the dust, or
5 the rain will cake the dust, and it will go all around.

6 I think the inner dock of Gaspé should be
7 used for that.

8 Q. Has this been suggested to anyone?

9 A. I have, not to the Government authorities
10 myself, no, but we have thought it over with the harbour master
11 himself, and he agrees that something should be done about it.

12 I may add to that: You notice these draggers,
13 they have their nets and cables stretched a quarter of a mile
14 up the highway, here.

15
16
17 AND FURTHER DEPONENT SAITH NOT.

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20 I, the undersigned, Court Reporter,
21 hereby certify that the above is a
22 true transcript of my shorthand notes.

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24 G. OSCAR BOISJOLY,
25 Court Reporter.
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ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
Mr. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Gaspé,
10:00 A.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

NORMAN ROBERTS, age 62, being duly sworn
on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. What is your occupation?

A. Oh well, I am a fisherman, pilot, engineer.

Q. How long have you been a pilot?

A. It started with my father when I was 16 years
old, and then, I went out, in 1942, I went sailing for 14 years,
but I was aft.



N. ROBERTS,
Inquiry,
EX. - 248

Q. And when did you return to Gaspé?

A. I returned in 1958.

Q. In 1958?

A. I came back again, I used to come back.

I was on a schooner, when I was young, for
4 seasons.

Q. When you came back in 1958, did you continue
your piloting?

A. I started piloting and fishing.

Q. Previous to 1958, had you done any piloting?

A. I piloted ships about 7 or 8, last year.

Q. Before 1958, did you pilot any ship?

A. No, I piloted ships before I went in 1942,

I was piloting ships off and on, I used to do most of the
piloting.

Q. In 1942?

A. 1942 to 1958, no.

Q. You didn't do anything?

A. No, I didn't do anything.

Q. And before 1942?

A. I piloted off and on, when I was at home.

Q. And since 1958, you have been piloting?

A. I have been piloting and fishing.

Q. And fishing?

A. And fishing. That's the only thing you can
do here.



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 249

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Q. Now, do you have any certificate of any kind?

A. No, I had only a paper from Ottawa and I tried to get my license, and I have got it here, what they told me to do, so I take out that paper, that's all that was required.

Q. May I read this letter into the record. It is dated March 12th. 1935. This is signed by Mr. J.E. L. Robertson, inspector of pilotage, and addressed to R.F. Eden, and it reads as follows: Sir, I have your letter of the 8th. instant, in which you advise me that Norman Roberts of Grande-Grève, Co. Gaspé wishes to have a license for the port of Gaspé. I beg to advise you that there is nobody in Ottawa that has the authority to grant a pilot's license in a port which is not within a pilotage district. The only authority that can grant a pilot's license is a pilotage authority for the individual district. However, there is no reason why Mr. Roberts should not continue to pilot, irrespective of having no license. All he has to do is to offer his services to any ship, and if the master of that ship requires a pilot, it is for him to accept or refuse Mr. Roberts's services. If such services are accepted, it is for Mr. Roberts and the master of the ship to decide as to what remuneration he will receive for his services. It is quite in order for Mr. Roberts to advise masters of the reason why he is unable to obtain a pilot's license as given above.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 250

Now Sir, would you describe how you board

vessels when you pilot them? How you get out to them?

A. With a boat.

Q. Your boat?

A. My own boat, yes; I have a man with me.

Q. You have a man with you?

A. Yes.

Q. And what is the size of your boat?

A. My boat is about 30 feet on top, 22 foot-keel,
she is 10 feet wide.

Q. Is she decked?

A. Yes, she is decked.

Q. And is she powered by diesel?

A. No, by gaz.

Q. And you go out to meet the ship with your boat?

A. Yes.

Q. And where do you meet the ship, usually?

A. When I have to, I go outside, because these
other guys gang against me, so I go outside of them.

Q. How far out do you go?

A. Sometimes, I go 4 or 5 miles from the head.

Q. Which head?

A. Cape Gaspé.

Q. 4 or 5 miles seaward from Cape Gaspé?

A. Yes.



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 251

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Q. And does that happen very often?

A. No, not too often.

Q. What happens to your boat then? You don't let it drift?

A. No, I go around the head of Cape Gaspé, and when I take a ship in, if they want a pilot, they come back to Grande-Grève.

Q. How long does it take you to go out to Cape Gaspé?

A. My boat will make only 7 knots, it is 4 miles from my home to Cape Gaspé.

Q. Now, would you tell us, Sir, how long does it take you to get out to a ship with your boat?

A. Well, it doesn't take me too long when the ship is just about coming.

Q. How long does it take?

A. Sometimes an hour, sometimes half an hour, it depends; if I go 5 or 6 miles off Cape Gaspé, it will take me an hour and a half.

Sometimes, I wait 2 or 3 hours on a ship.

Q. Before you leave home, do you wait until the ship is in sight?

A. No, not with these guys, they are the opposition; we are not together, these 2 fellows, Roberts, one was here this morning, Clarence Roberts, well, they would be against me.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 252

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He even took my money, Mr. McCallum kept my money, but I don't think it is right. If you pilot a ship in, for another man to keep the money.

Q. So, you try to get out there first?

A. I try to get there first, yes.

Q. Do you have to wait for a long time for the ship?

A. Not too long; suppose the ship is arriving at 8 o'clock or 9 o'clock, I go out one hour ahead of time.

Q. How do you proceed to get aboard the ship?

A. When I know she is coming, I go out with my boat.

Q. What about if there are two pilots?

A. If I get there first, I am the first man taken aboard.

Q. Is it the first man who gets a line on board the ship?

A. Yes, we will go alongside the ladder, the first man that gets alongside the ladder, the other one turns back.

Q. Did you happen to have accidents when both of you were trying to get to the ladder?

A. Never. I will go alongside the ship, sometimes, we will get pretty close, but never anything.

Q. So, it is the fastest man that gets the job?



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N. ROBERTS,
Inquiry,
EX. -253

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A. Yes, but there is always some against me, here.

Q. When you get aboard the ship, you meet the master on the bridge?

A. The first mate will meet you, or the second mate, and you get on the bridge and the captain meets you.

Q. What do you do on the bridge?

A. When I get in, I give them the course and tell them what to do.

Q. To whom do you say that?

A. To the man at the wheel.

Q. You tell the man at the wheel?

A. Yes.

Q. And what about the engines?

A. Well, the captain will give the telegraph to the engine room.

Q. Do you tell the captain what speed you want?

A. Lots of times, I will tell the captain what speed I want, the captain will say: Full ahead, and we will go ahead, out to the block.

Q. What block?

A. The light-house.

Q. And the master comes out on the bridge at that time?

A. Yes.

Q. And who takes the ship in to the dock?



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 254

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3 A. I take the ship in, but I always work with
4 the captain, because I always say the captain is in charge of
5 his ship.

6 Q. But in actual practice, who gives the orders
7 to bring the ship alongside? You or the captain?

8 A. Both of us. If the captain sees I am not
9 right, he will tell me.

10 Q. You can't be both giving orders at the same
11 time?

12 A. Not at the one time, but when coming alongside..

13 Q. Is it the captain who sees to it?

14 A. Oh yes, the captain is right there with me.

15 Q. If he is not happy with what you are doing,
16 he will tell you?

17 A. He will tell me: Give her a little work
18 ahead.

19 Q. If he doesn't say anything, you presume...

20 A. Everything is going fine.

21 Q. Now, we were given to understand this morning
22 that when you take a ship in, you always take the same ship out?

23 A. Sometimes; some ships, they don't want anyone
24 out, some are pretty close, and they don't take any pilot out.

25 Q. Do you get paid just the same?

26 A. No, I just get paid one way.

27

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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 255

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Q. One way?

A. Yes.

Q. Now, we have heard that the rate was fixed at \$ 3.00 per foot, mean draft?

A. Mean draft, yes.

Q. Who fixed that rate?

A. Mr. McCallum, the man just left here before.

Q. Do you know how he arrived at that figure?

A. I don't know. We only had \$ 100 a foot for the first year, but while I was away, it was put to \$ 3.00.

Q. And how much do you get since 1958?

A. That's what we get, \$ 3.00 a foot, mean draft.

Q. Do you think it covers your expenses?

A. Yes.

Q. For the time of your boatman - you have a boatman with you?

A. Yes. I think, if a man could have a few of those coming here, it would pay him all right.

Q. When you go out to the ship, there is a man in your boat?

A. Yes.

Q. You don't leave your boat adrift at sea?

A. No, he comes ashore.

Q. You have to pay him?

A. I have to pay him, yes.



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 256

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Q. How much do you pay him?

4

A. It all depends, if it is a big ship, he gets
\$ 30.00.

5

6

Q. If you get more, depending on the size of the
ship, you give him more?

7

8

A. Yes.

9

Q. Is that going in only?

10

A. No, both ways.

11

Q. And you pay him both ways \$ 30.00?

12

A. Yes, but the boat belongs to me, the whole
outfit.

13

14

Q. And how much does it cost you for fuel?

15

A. She burns a gallon an hour.

16

Q. And what would be your out-of-pocket expenses?

17

A. Well, taxi down and up, \$ 10.00, \$ 12.00.

18

Q. \$ 10.00 to \$ 12.00?

19

A. That's for the taxi, and we are around \$ 15.00
for the gaz and oil, \$ 5.00, so that would be about \$ 15.00.

20

21

Q. So, your expenses are \$ 15.00, your own expenses
and then you pay your boatman depending upon the size of the
ship?

23

24

A. Yes.

25

Q. Is that a fixed percentage?

26

A. No, it just depends on the ship; on a small
ship, I will give him \$ 15.00, \$ 20.00.

27

28

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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 257

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O. What does a small ship pay you?

4

A. \$ 90.00, \$ 80.00.

5

Q. And you give him \$ 20.00?

6

A. \$ 20.00.

7

Q. And then you get about \$ 15.00 for fuel and
taxi, you get \$ 90.00 for pilotage, that leaves you the sum of
\$ 55.00?

10

A. Yes.

11

Q. How long does it take you to take the ship
in?

13

A. 2 hours, 2½ hours, 3 hours. If it is in the
morning, we loose the morning. In the afternoon, we could go
fishing a little bit.

16

Q. How long does it take to take her out?

17

A. That is quicker, it takes 1 hour, 1½ hour.

18

Q. So, about 2 or 3 hours coming in and about
1 hour to 1½ hour going out, that's about 4 hours for a return-
trip. Is that it?

21

A. Yes, just about.

22

Q. And you would have a net return of \$ 55.00
for that?

24

A.

25

26

THE PRESIDENT:

27

What about the hazards of the harbour, or

28

29

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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 258

1

2

3 the sand-bars?

4

MR. MAURICE JACQUES,

5

Counsel for the Commission:

6

Yes Sir.

7

Q. Now, does it happen that you have to stay in
8 Gaspé and wait for the ship, that you can't go out fishing?

9

A. Not often; that happens.

10

Q. It happens?

11

A. Most of the time, I stay right on the ship,
12 I don't go home at all, just for 6 hours.

13

Q. How many passenger-boats did you have last
14 year?

15

A. Last year, only one; one comes every year,
16 but there is none this year.

17

Q. Usually, you have time to go out fishing?

18

A. Yes, but it was on a Sunday, a couple of years
19 back, there was another guy, and he got a Government job, and
20 I took over from Mr. Leboutillier; he got my name to the ship.

21

Q. Now, Sir, are you familiar with the chart?

22

A. Yes.

23

Q. We will go straight from memory, now. When
24 you enter inside the brick wall, we will start there, will you
25 tell us any difficulties you encounter: Shoals, current, wind,
26 etc..in your work as a pilot. Is it difficult?

27

A. Well, a little, you know, but the tides, I

28

29

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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 260

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know the tides.

Q. How much of a tide have you got here?

A. Spring tide, about $5\frac{1}{2}$.

Q. How much of a current do you have?

A. 2, $2\frac{1}{2}$ knots.

Q. In what direction?

A. Coming out, sometimes it comes in not quite as quick, it rises, you know.

Q. What about wind?

A. When the wind is too strong, I don't go on the inside.

Q. You keep on the outside?

A. I keep on the outside.

Q. Do you take ships inside, past the bridge?

A. Oh yes, I take many ships into the pulp mill, for the International.

Q. What size is the bridge?

A. The bridge is 300 to 400 feet long.

Q. They go inside the bridge?

A. They go inside the bridge.

O. How much water do you have to go in?

A. Plenty of water, in the channel.

O. How wide is the channer?

A. It just depends; there is plenty water, you can pass two ships coming out of the bridge.



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 261

1

2

3 Q.

You don't meet under the bridge, do you?

4 A.

No, under the bridge, that's 90 feet.

5 Q.

The span?

6 A.

The span is 90 feet.

7 Q.

Do you have any difficulty going through the
bridge?

8

9 A.

Yes, you will, yes.

10 Q.

What do you do?

11 A.

She sets.

12 Q.

What side?

13 A.

On the starboard side, going in.

14

THE PRESIDENT:

15 Q.

To the North?

16 A.

To the North.

17 Q.

To the North, getting out?

18 A.

Yes.

19

MR. MAURICE JACQUES,

20

Counsel for the Commission:

21 Q.

And going in?

22 A.

Yes.

23 Q.

And going out?

24 A.

Going out is not so bad, because you can come
close to the North, it always backs to the North.

25

26

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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 262

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3 Q.

Are there any shoals in the harbour?

4 A.

Shoals right up ahead, yes; you swing off.

5 Q.

Do you have any trouble in swinging off?

6 A.

No.

7 Q.

Did you ever run aground, there?

8 A.

No.

9 Q.

Did you ever hit the bridge?

10 A.

We touched the bridge once, many years ago,
coming out.

11 Q.

When was that?

12 A.

I forget, now; a small ship.

13 Q.

What happened?

14 A.

We didn't bring her over enough; that was the
first year. After we cut on to the current, it was all right.

17 Q.

Apart from that accident, did you have any
other accident?

18 A.

No.

19 Q.

How did you find it to handle large ships
alongside?

21 A.

Not so bad; if you rode your berth, you
drop your anchor and come alongside, it is pretty good.

24 Q.

Where did you learn all that?

25 A.

I was sailing for 4 years, and then, I was
sailing for 14 seasons, I saw the captain, I used to watch that
very closely, how he handled his ship, and my father was a pilot,

28

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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 263

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and it seemed like...

Q. You learned from your father?

A. Yes.

Q. When you went on that ship, what type of ship was that?

A. This is only canalers for up in the old canal days, they were 254 feet long.

Q. Up in the Lakes?

A. Yes, all over the Lakes.

Q. What was your job aboard those

A. I started as a fireman and then oiler, and turned engineer for 7 years.

Q. That has no connection with pilotage?

A. No, but any time I was off watch, I could see the captain handle his ship, and we had to take many locks.

Q. That's where you learned?

A. Yes, that's where I learned a lot, but I knew how to handle a ship before, in 1942, I could handle them, those that belonged to the International.

Q. Did you take very many ships through the bridge?

A. I took a good many.

Q. How many did you take last year?

A. I couldn't say.

When they were loading pulpwood, these ships, to Three-Rivers, and many ships.



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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 264

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THE PRESIDENT:

Q. Were they more difficult, those ships?

A. Some of them was, here, if it was blowing,
it was difficult to run them.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Have you ever handled a ship with the bridge
aft?

A. Yes.

Q. Through the bridge?

A. No, not through the bridge.

THE PRESIDENT:

Q. Would you try them?

A. Sure I would try them, because they handle,
so long as they are not too big; you can't handle a big ship
there.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. You have a 90-foot opening?

A. Yes, but the best time is to go high-water or
low-water.

Q. Slack?

A. Yes, slack, and you can go in, there is no
current.



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TORONTO, ONTARIO

MR. ROBERTS,
Inquiry,
EX. - 265

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3 When going in, you head for Mr. Davis's wharf,
4 and when you get through, you swing to port.

5 THE PRESIDENT:

6 Q. Why do you head for Mr. Davis's wharf?

7 A. Davis's wharf, that's the centre.

8 Q. Is it?

9 A. You head straight for the end of the wharf.

10 Q. Isn't it, as a matter of fact, on your
11 starboard?

12 A. You have to get over here and get in line,
13 and when you get through, you swing to port.

14
15 MR. MAURICE JACQUES,

16 Counsel for the Commission:

17 Q. That Davis's wharf would be right in the
18 entrance?

19 A. Yes.

20 Q. How far would it be from the bridge to the
21 wharf?

22 A. 700 feet.

23 Q. Does that give you enough room to manoeuvre?

24 A. Yes, plenty room.

25 THE PRESIDENT:

26 Q. What about the spurs of the bridge? Would
27 they be any hazard? I think they are not straight?

28

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TORONTO, ONTARIO

N. ROBERTS,
Inquiry,
EX. - 266

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A. They are not wide, but they don't interfere.
Q. What about the footings of the bridge?
A. They are pretty plumb?
Q. Pretty square?
A. Yes.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



C A N A D A

ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

1
2 ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

3
4
5 PRESENT: HONORABLE YVES BERNIER, J.S.C.

6 Commissioners:

7 ROBERT KNOWLTON SMITH, Esq.

8 HAROLD ALEXANDER RENWICK, Esq.

9 MR. MAURICE JACQUES, Attorney.

10
11 ON BOARD S.S.C.D. HOWE, Gaspé,

12 10:00 A.M.
13

14
15 On the twentieth day of May, the year
16 nineteen hundred and sixty three:

17
18 TYRREL JOSEPH EDEN, age 54, being duly
19 sworn on the Holy Evangelists, doth depose and say:

20 EXAMINED BY MR. MAURICE JACQUES,

21 Counsel for the Commission:

22 Q. What is your occupation?

23 A. I am harbour shipping master.

24 Q. How long have you been harbour master?

25 A. I had my appointment in 1942; I acted
26 temporarily in 1941.
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ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

R.J. EDEN,
Inquiry,
EX. 268

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Q. And you have been harbour master eversince?

A. Eversince.

Q. Would you know when Gaspé was declared a public harbour?

A. Gaspé was declared a public harbour, from what I can gather, about 1861, as far as I can give you any idea of that.

Q. As a matter of interest to someone in your trade, there is a description of the port of Gaspé which goes up to Quebec, almost?

A. I think there were minutes on the port of Gaspé, they would be on the Gaspé Peninsula, which takes in a very big territory, and you might notice incidents that have happened 150 miles from here, yet it is called in Gaspé.

Q. Now, what do you consider your duties as harbour master?

A. According to my instructions, I am to meet ships and make Government collection, take any complaints, look after the harbour, with the interest of ships, and fishing, and any other resources that may be of interest to the port.

Q. Now, Sir, we have heard some evidence this morning to the effect that fishing draggers cluttered the Government dock at times with the result that ships, see-going ships cannot come alongside as they were?



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R.J. EDEN,
Inquiry,
EX. - 269

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A. Now, as you may look out this window, you can see some of them are here. I have had notes on that from the Foundation Company, asking me to have these ships placed where they wouldn't interfere with bigger ships coming in. So, immediately, I telephoned the warfinger, which I think is the proper procedure, to have at least 300 feet reserved of this harbour, which he did, I believe, and after a time, when they came back, this was Saturday going over to Sunday, they are strung along the whole length of the wharf, and if there is any ship that comes in the meantime, if they notify either myself or the warfinger, they are moved.

If not, they are alongside the wharf.

Q. So, if you receive no complaints, you don't bother anyone?

A. We don't make a move unless we receive some order.

Q. That's quite sensible?

A. I think it should be the proper procedure.

Q. Would you have any comments to make with regards to pilotage?

A. I think pilotage should be made compulsory for the simple reason that if we had pilotage compulsory, we could have a pilot that was probably licensed, and he would make something out of it.

Q. He would make something out of it?

A. There would be something for him, as with



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R.J. EDEN,
Inquiry,
EX. - 270

1
2
3
4 other places. Although pilotage is not compulsory in this
5 harbour, we recommend it for the simple reason that different
6 captains prefer to have a pilot, in case of accident or anything
7 for their insurance, and therefore, I think pilotage should be
8 made compulsory.

9
10
11 AND FURTHER DEPONENT SAITH NOT.

12
13
14 MR. MAURICE JACQUES,

15 Counsel for the Commission:

16 We will file as exhibit no. 298 Chart 4417,
17 which we haven't got with us.

18 THE PRESIDENT:

19 Q. Well, gentlemen, this concludes our sitting
20 here in Gaspé.

21 We know that you didn't receive much advance
22 notice, but our first reason to come here is to say hello to
23 you, and meet you and get some information that you could give
24 us.

25 On the other hand, if you have further
26 information which you think might be of interest to us, to
27 our problem, please send it to us at Ottawa, or meet us at any
28
29
30



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other place where we will sit.

If you cannot meet us, write to us and point out to us things you think that we should know.

Just for those who do not know exactly what we are, we have been created by the Government of Canada to find out what is pilotage in Canada, whether it is organized or not organized. That is why we are calling here this morning.

In order to find what it is, we have to get the opinion of what people think, we have to get down to the facts, and it is the only way to form an opinion later on.

So, any further help you may give us will be appreciated.

Alors, Messieurs, pour ceux qui n'ont peut-être pas compris, nous sommes venus ici pour vous faire une visite un peu imprévue.

Nous n'avions pas nécessairement l'intention de faire une séance tout à fait formelle, si je peux dire, nous voulions simplement vous rencontrer, vous dire que nous existons qu'est-ce que c'est que nous cherchons.

Alors, il faut que nous trouvions les faits, nécessairement, pour être capables de répondre à la question qui nous a été posée par le Gouvernement du Canada, à savoir qu'est-ce qu'est le pilotage dans le Canada, et pour avoir aussi nos recommandations, ce qu'on peut faire pour améliorer la situa



Inquiry,
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tion, si elle peut s'améliorer.

Alors, vous nous avez donné ce matin quelques renseignements, et nous comprenons que vous n'êtes pas préparés, et si vous avez d'autres renseignements que vous êtes capables de nous donner, veuillez ne pas vous gêner, au contraire, ça nous aiderait beaucoup si vous pouvez nous écrire à Ottawa pour nous dire tous les renseignements que nous devons savoir.

Nous vous remercions de votre co-opération, ç'a été très intéressant.

Et pour ceux qui nous ont suivis à date, vous voyez qu'à chaque place où nous allons, il y a quelque chose de différent.

Everywhere we go, we have something different, and here, we have a fine example this moment.

Now, we will adjourn to Chandler, seven o'clock tonight.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONOURABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Solicitor

ON BOARD S.S. C.D. HOWE, CHANDLER, 7:00 P.M.

On the twentieth day of May, the year one thousand nine hundred and sixty three:

THE PRESIDENT:

As far as my little speech I use to give when starting the hearing, those who are English speaking here have been fully briefed, so I will say it in French.

Gentlemen, perhaps you here in Chandler are surprised to see us stop here. As you know, we have been appointed, my colleagues and myself, to a Royal Commission of Inquiry on pilotage.

Our terms of reference are wide and very indefinite. First of all we have to define pilotage, find out what pilotage in Canada in general really is.

And after that, once we have acquired this experience, to study what we have seen and what we have found out, to study and compare that with the application of the law, and to make recommendations which may be applied.

This is why we began this inspection of all pilotage units in Canada as a whole. We began in the month of February, we have been in the Maritime Provinces, at Charlottetown and at Saint John, New Brunswick.

P. 274
Cont'd We went on from there to the Pacific coast
where we saw from Prince Rupert to Victoria; and later,
we made the round, three weeks ago, of Newfoundland, we
spent fifteen days in the province of Newfoundland.

And now, we have visited, in the last few
days, the north shore of the St. Lawrence. We are
presently doing the Baie des Chaleurs, and we shall
P. 275 continue our -/- trip on the C.D. Howe along the
New Brunswick coast to see all the ports where there is
organized pilotage, and even any pilotage whatsoever.

After that, we shall continue sittings in
Halifax and North Sydney.

After, that, in June, we shall begin the St.
Lawrence, and we shall finish by the end of the fall at
the head of the Great Lakes, and at the very end, there
will be general public sittings in Ottawa in order to
summarize everything, in order to make pleas, if I may
use the expression.

As a result, we are here in the knowledge
that Chandler is a sea-port, and that consequently it
may have pilotage problems, and we were not asked to
examine only organized pilotage, but anything relating
to pilotage.

Now, we have come to find out what pilotage
there is here in Chandler, and if there are any problems,
and this extends not only to Chandler, for all the
problems that you might have here, but into the Baie des
Chaleurs, because I know that Mr. Dorion was connected
with the Chamber of Commerce, he was the president
276 until last year, and -/- is presently on the provincial
council.

P. 276
Cont'd

So, if you feel that there are pilotage problems within your organization, things that we ought to know about, please get in touch with us if you see facts that we ought to know about, or make recommendations to us, and any such overtures will be welcome.

We should add a cautionary word that we are not from the Department of Transport. We come from the government and we are a completely separate entity, we are a completely independent Royal Commission of Inquiry and the Department of Transport is represented here by a liaison officer who is Captain Slocombe, seated right beside you, Mr. Dorion.

That, then, is our work, and the Commission's counsel, in a few minutes, is going to put questions to the pilots, among others, and to those who will be able to give any information, and any information that you may give us will be welcome.

C A N A D A

ROYAL COMMISSION OF INQUIRY ON PILOTAGE

PRESENT: THE HONOURABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
MR. MAURICE JACQUES, Attorney

ABOARD S.S. C.D. HOWE, CHANDLER, 7:00 P.M.

On the twentieth day of May, the year one thousand nine hundred and sixty three, appeared as witness:

PIERRE MOLLOY, aged 49, being duly sworn on the Holy Evangelists, doth depose and say:

EXAMINED by Mr. MAURICE JACQUES,

Counsel for the Commission:

Q. What is your profession?

A. Business man.

Q. Are you also a pilot at Chandler?

A. I am.

Q. For how long have you carried out the duties of pilot?

A. For twelve (12) years.

Q. Twelve (12) years?

A. Yes.

Q. How did you enter the pilotage service here in Chandler?

. 279
ontd.

A. I began with my father at the age of fourteen (14) years.

Q. What did you do?

A. I learned with him, he showed me, he was a pilot himself, and he trained me, and in nineteen hundred and fifty-one (1951), nineteen hundred and fifty (1950) or nineteen hundred and fifty-one (1951), I took over.

Q. Then, you had undergone an apprenticeship of roughly how many years with your father?

A. Oh, ten or twelve years.

Q. Ten or twelve years with your father?

A. Yes.

Q. And what did you do with your father? You went aboard vessels with your father?

A. I went aboard with him, and I was there when he gave orders, he explained them to me.

280

Q. Apart from that experience, -/- did you have any other experience on vessels?

A. I worked on the building of ten-thousand ton-boats, right to completion of the finished vessel, and I was aboard when it ran trials, as far as Halifax, for three-and-a-half years.

Q. For three-and-a-half years. Now what did you do aboard those vessels during trials?

A. I was on piece work, supervisor for welding, caulking and riveting.

Q. In the case of trial trips, what were your duties?

A. No, they were limited to my position. It was limited to my position although I had access, but I had nothing to do with any of that.

P. 280
Contd.

Q. But on the vessels, during the trial trips, did you remain on the bridge?

A. I had access to it only, no responsibility, none at all.

I had no business with that, I only watched for my own information, you understand.

Q. That it is the only experience that you had of vessels?

A. Yes.

Q. Until the time you became a pilot?

A. Yes, I was with my father before, and he -/-
P. 281 showed me, here.

Q. Now, on what date, as exactly as possible, did you make your first pilot trip alone?

A. In nineteen hundred and fifty, (1950) or nineteen hundred and fifty-one (1951); and since that time, I have been continuously engaged in it.

Q. And what was the first kind of ship that you piloted alone?

A. I would say: somewhere in the category of two hundred and seventy-five feet (275') to three hundred and fifty feet (350'), around there, I would say.

Length of vessel with "net weight"? Are you asking me for the net weight or the tonnage of boats or the length or what?

Q. The net tonnage?

A. The net tonnage, they started from eight hundred tons up to three thousand, four hundred.

Q. Now, the first boat that you piloted, what was its tonnage?

P. 281
Contd.

A. Ten thousand tons.

Q. Dead weight?

A. Ten thousand tons dead weight, yes.

Q. Dead weight. Was it . . .

A. With a captain whom I knew very well.

P. 282

Q. Was it a "park" ship? Liberty ship?

A. Liberty ship.

Q. That was your first vessel, in nineteen fifty-one
(1951)?

A. Yes, if I remember correctly.

Q. Now, since that time, you have piloted roughly how
many ships per year?

A. About . . . between 40 and 45 per year.

Q. Between 40 to 45 per year.

A. Yes.

Q. And what were the net tonnages of those vessels,
to the best of your knowledge?

A. Well, I would say, now, this winter, in the month
of February, I piloted one vessel of four hundred and ninety-
eight feet (498') in length.

Q. Four hundred and ninety-eight feet (498') in
length?

A. Four hundred and ninety-eight feet (498') in
length. That is a vessel, if its tonnage was like that of
the Liberty ships, of around twelve thousand tons, only it
was eight thousand tons (495') if I recollect properly.

Q. Did you pilot several per year ships like that, of
P. 283 four hundred and ninety -/- five feet (495') in length?

A. From three hundred and ninety (390) up to four
hundred and fifty-five (455), I piloted about fifteen of them.

P. 283
Contd.

Q. About fifteen per year?

A. About fifteen per year.

Q. Then, that was most of the vessels that you piloted in one year?

A. The port is no larger.

Q. The majority of the vessels that you pilot in a year would be from three hundred and fifty (350) to four hundred and fifty feet (450'), roughly?

A. Four hundred and fifty-five (455).

Q. And the other vessels would be of what dimensions, roughly?

A. Two hundred and seventy (270), two hundred and ninety-five (295), three hundred and twenty-five (325). They were all around that.

Q. For how many years have you been piloting this type?

A. I would say: about twenty-five (25), I believe. That is only very roughly: twenty-five (25) to thirty (30).

Q. Now, do you know what cargo those vessels were carrying?

P. 284 A. Yes, I have here - sometimes we receive -/- ships in ballast, and we also receive half-loaded ships, which carry general cargo.

Q. Which come in with cargo or to pick up cargo?

A. No, they come to finish loading or to continue part of their loading to take to other ports.

About a dozen, I would say, twelve to fifteen.

Q. Which come to load?

A. Which come to load part of the cargo in the port.

Q. Now, the rest of the vessels that you pilot are the vessels which come to unload cargo, in those cases?

P. 284
Contd.

A. Here, I pilot vessels which come to discharge sulphur, oil, bunker oil, and then . . . no, that's all.

Q. You are the only pilot here?

A. My brother.

Q. Your brother?

A. Yes, there are two of us.

Q. How old is your brother?

A. 34 - I believe 36, rather.

Q. And when did he begin piloting?

A. Well, he is presently apprenticed with me.

P. 285

Q. He is apprenticed?

A. Not really, he learned with my father too, but since I am always piloting, he comes with me and he learns, he continues to gain more experience.

Q. Does it sometimes happen that he brings in or takes out ships alone?

A. Yes, he has done so.

Q. In the figures that you gave us a moment ago, would they include the work that your brother does?

A. No, I don't count that; he comes with me, you understand; I want him to be sure of his business, before.

Q. You said that you piloted about 40 to 45 vessels per year?

A. Yes.

Q. Does that include the vessels that your brother pilots alone?

A. No, not this year.

Q. Last year?

A. Once.

Q. And the year before that?

P. 285
Contd.

A. A couple of times.

Q. And you both followed your apprenticeship with your father?

A. Yes, he also was with my father.

P. 286

Q. And he is still serving as an apprentice with you?

A. Yes.

Q. Now, do all the vessels which come in here take pilots?

A. Well, it's not mandatory, only they all do take them.

Q. That is what I want to know? I don't want to know whether it is obligatory.

A. Five years ago I believe it happened once - I have to tell you, you want to know . . . ?

Q. Exactly.

A. This boat refused us once.

Q. That was five years ago?

A. Yes. It also happened once to my father, before, but that time, it was I myself. He refused to take us, he ran aground here.

Q. He did what?

A. He ran aground here.

Q. And apart from that vessel which refused to make use of your services, were there any others in the last five years?

A. No, not since, because they have all taken us since that time.

Q. They have all taken you since that time?

A. Yes.

P. 287 Q. Now, have all vessels without exception in the last five years taken you as pilot?

A. Except the coastal boats which carry freight for the Gaspé peninsula, you know; those ones don't take us.

Q. They don't take you?

A. No, they have no draught, they have no draught those boats.

Q. The vessels which employ you, are they Canadian boats or foreign vessels?

A. Always foreign vessels . . . yes, except . . . there were also some Canadian boats, tankers, Canadian boats from Montreal. Also one United Marine came . . . pardon me, the Canadian boat from Montreal, in any case, two Canadian boats which come here.

Q. Which use a pilot?

A. Which use a pilot.

Q. Do the Department of Transport vessels use them?

A. No.

Q. They don't use them?

A. No, it's a pity.

Q. Now, you have all witnessed, this evening, the fairly difficult manoeuvre which the commandant of the ice-breaker C.D. Howe made in order to tie up here at the Chandler wharf. Could you -/- describe the manoeuvre that you carry out when you bring a boat to the wharf here?

. 288

A. Yes, firstly, this boat has two propellers, it can make one of them work ahead and the other astern, to turn his vessel as he wishes.

He came in from that side of the wharf, he came in from the east side.

P. 288
Contd.

Q. Now, you touch from which side, yourself?

A. Listen, I would prefer always to do the same thing, myself, here, from the east side, the boats that I pilot have only one propeller, the north corner, here you have two corners of the wharf which have no fenders.

Q. The fenders, there are no fenders, the two fenders on each side of the quay are not fixed at the bottom. If your vessel had touched the corner of the quay here, you would have seen on the hull of the boat, upfront, a bump known as a dent.

The captain did not touch it, he was lucky.

The first time it was done, those repairs, in rubber, I thought that it was good, and I carried out my manoeuvre like that, I entered like that, -/- I dropped anchor and I entered from starboard, I turned toward the east, and then I threw my mooring cable astern as well, to turn the boat, to bring it up from the west side, and it was very very calm there was no wind at all, at that time, there was no wind and it was very calm.

The boat was turned and brought up to the quay, no one aboard the boat noticed - when the boat began to rise in the water - they unloaded here - the first officer . . . the boat was a little off from the quay, he looked and saw nine dents that appeared above the water line which had developed along the quay.

From then on I have never brought a boat in on that side.

Q. Then, you do not approach from the west side of the quay?

A. From the east side.

P. 289
Contd.

Q. From the east side you do not approach?

A. No.

Q. You approach from the west side?

A. Yes.

Q. Do you bring your boat in with the bow toward the land or the bow toward the sea?

A. The bow toward the sea.

Q. The bow toward the sea?

P. 290

A. Yes. I have to turn it.

Q. You turn your boat before coming alongside?

A. Yes.

Q. Then, would you explain where you turn your vessel, and what manoeuvre you use?

A. Certainly, it all depends on the tide and currents and the wind. You must understand that.

There are never two times in a row that I can bring a boat in the same way, when the weather is fine, in the Summer, we have currents here, two currents behind the island . . .

Q. One moment, behind the island, what is the name of that island?

A. . . .

Q. The island off the quay. Dupuis Island on chart 4434. Then, you said: the current behind the island - are you to the south of the island or to the north of the island?

A. Here, behind the island.

Q. Behind the witness indicates to the south of the island?

A. To the south of the island, there is a rock, it must appear here.

P. 290 Q. Which is indicated on the chart, and which -/-
Contd.
P. 291 has the notation "dries 4 feet". Continue, sir.

A. Now, here, we have two rivers flowing . . .

Q. One moment. You are referring to a river which is indicated on the lower left hand corner of chart 4434.

A. With the tide rising, the current forms here, like this here.

Q. The witness indicates a northerly current . . .

A. Toward the quay.

Q. . . . is toward the quay.

A. West.

Q. North-east, toward the quay?

A. I mean, yes, north-east, yes that's it.

Q. What is the speed of that current?

A. I would say: three knots, three or four knots; it depends.

Q. How did you arrive at that figure of three or four knots?

A. Well, my father always told me that, you know.

Naturally, we did not measure it, but engineers came and they said that the current, on a falling tide . . .

Q. Engineers from where?

292 A. Local, from Rimouski.

Q. Who measured the current? They measured the speed of the current?

A. Yes.

Q. In what year?

A. A long time ago.

Q. A long time ago. And they told you the speed of the current?

. 292
ontd.

A. Three or four knots.

Q. That is on a falling tide?

A. With the tide falling.

Q. With the incoming tide, is there still any current?

A. Before going any further here, between the island and the quay, two currents form here and a sand bar is set up; sometimes when the tide is rising, sometimes when falling.

Q. You indicate two currents: one near the quay . . .

A. Between the island and the quay.

Q. . . . one near the quay, in a westerly direction?

A. In a westerly direction, and the other end in the easterly direction.

Q. And the other, near the island in an easterly direction?

A. That depends on tides.

293 Q. And you say that both those currents cause a build-up of sand?

A. No

Q. You spoke of a sand bar?

A. Yes, a bar which always remains the same height. Here there is more water than there, there is a foot more water than in the centre of the bar.

Q. Writing lightly, will you indicate on chart 4434 the spot where the sand-bar forms?

A. I would say, roughly, I do not have the exact measurements, from the quay going toward the south, about two hundred feet (200') from the quay. In English, they call it a horse-back.

Q. A horse-back?

P. 293
Contd.

A. In English, they say that it forms a horse-back.
It is a figure of speech . . .

Q. Continue, please.

A. And then, it goes down again, and to a depth of
twenty-two (22) or twenty-three (23) . . .

Q. Over what distance does that sand-bar form?

A. I would say, about one hundred to one hundred and
fifty feet.

Q. It begins at about two hundred feet (200') south
of the quay, and goes toward the south, one hundred and fifty
P. 294 feet (150'), and it is a bar on the bottom of -/- the water?

A. Yes, not a very large thing, about one foot or one-
and-a-half feet.

Q. On the bottom?

A. Yes, a cross-current, one this way and the other
that way.

THE PRESIDENT:

Q. A kind of eddy?

A. Yes, and the other comes down; both are equal.

Mr. MAURICE JACQUES,

for the Commission:

Q. You speak of a cross-current. The direction of the
currents, please . . .

A. East and west.

Q. Then, the slope forms between the two currents.

A. That is so.

Q. Does this sand-bar remain there all the time?

A. No, with gales, if a gale comes up, it disappears.

Q. If a gale comes up, it disappears?

. 294 A. Yes, and if we are free from gale for a little
ontd.
. 295 while, it starts again and builds up to a matter -/- of
about one foot (1'), according to soundings that I have
made.

Q. And does that affect the manoeuvring of your
vessels?

A. Yes indeed: when I pilot a boat in ballast, the
stern is always deeper in the water than the bow.

Q. The stern is deeper in the water than the bow?

A. Than the bow. What happens, from the buoy to the
quay, it is very short, the distance is not very long, you
understand, and that makes the boat, it means that I have to
stop my motors here, at the island.

Q. At the island, you stop the engines?

A. You have to go very slowly, you understand. The
current will take the stern of the vessel, and it will push
it like that and make my bow slew around.

Q. Push in what direction?

A. That depends on the current, sometimes toward the
east sometimes towards the west, it is never the same. Here, 2
astern too and reaching here.

Q. You say "here", at how many feet from the quay?

A. Two hundred feet (200'). Of that, for example, I
am certain, I pay attention, I know the vessel's reaction, you
could say I have the "feeling" of the boat, only that once
296 arrived there I cannot turn -/- my vessel on the east side
of the quay because the approaches, the ends of the quay, are
not suitable for touching with a vessel.

Q. What do you mean "are not suitable"?

. 296
ontd.

A. Well, the corners are made of cement, there is no fender fixed there.

What there is there is eight-inch (8") rubber tubes which go down like that, and when the vessel touches, it gives with the vessel, like that, and it rises and the other part of the vessel rises on the corner, and it causes . . .

Q. Dents?

A. That happened to me once and I was not going to be caught twice and that was the last time.

Now, the manoeuvre that I carry out, I enter on an angle . . .

Q. Pardon?

A. At a hundred feet (100') from the quay, I swerve off course, I do not make the range (?).

Q. You swerve off course from what side?

A. From the west side, and I drop anchor, when there is a swell or waves I enter about two hundred feet (200') from the quay, and let myself drift in.

297 Q. There, you drop anchor?

A. It is dropped there, I am right there and I stop the anchor.

Q. At two hundred feet (200') from the quay?

A. Yes, and then I have dropped anchor two hundred feet (200') from the quay, you understand . . .

Q. You drop the anchor two hundred feet (200') from the quay?

A. Yes, a hundred and fifty (150) to two hundred feet (200'), it depends on the current.

Q. You let the vessel drift in toward the quay?

. 297
ontd.

A. In short, going west, about two hundred feet (200') let's say, from the quay, from the west side.

Q. Two hundred feet (200') from the quay on the west side?

A. From the west side of the quay, and I stop, I have the anchor stopped, I have it held, and I ring for dead slow, and I turn on my anchor, right there.

Q. You turn the stern of the vessel anti-clockwise?

A. No, from the right side.

Q. From the right side?

298 A. Yes, always from the right side, I turn from the right side, and then, if the vessel cannot approach, -/- when there are too many waves, I come with out boat carrying a heaving line to the quay astern, my linesmen, pull the mooring lines to the quay.

THE PRESIDENT:

Q. They attach it to the quay?

A. They attach it to the quay, yes.

Mr. MAURICE JACQUES,

for the Commission:

Q. They draw the stern of the vessel to the quay?

A. No, the mooring lines.

Q. You pull the stern of the vessel with the rope?

A. Yes.

Q. Then, you pull it to the quay and it is turned around at an angle of a hundred and eighty degrees (180°)?

A. Yes.

Q. And it has the bow pointing seaward?

A. When suitable.

Q. And when it's not suitable?

298
ontd.

A. When it's not suitable, we have to go ahead, we cannot make use of ropes, we must go ahead and reverse to a hundred and fifty feet (150'), a hard-at-starboard manoeuvre . . .

Q. You say that you go forward and that you go astern; where do you do this?

179

A. Here, it is the quay, I arrive here, I go in here on my anchor, the vessel turns, it turns and it enters like that.

If we are headed into the wind, if the wind is north-east, we can no longer approach there, do you understand, because the wind sweeps there on the beam, and I fall astern, I make one pass with that, with my rope, just as they did this afternoon, and I go ahead, and go astern.

Q. Then, when the weather is bad, you don't use your anchor, you simply use . . .

A. If the weather is bad, I use my anchor.

Q. Let me finish my question.

A. Excuse me.

Q. When the weather is bad, you don't use your anchor, or you use it?

A. I use it.

Q. Then, the first manoeuvre that you described with your vessel, is when the weather is bad?

A. When there are waves.

Q. Now, when do you manoeuvre without your anchor?

300

A. It's preferable, when the weather is good, to place the bow of the vessel on the quay, the vessel being exactly parallel with the quay, in the direction of the quay, quite parallel, -/- and I stop it at a hundred and fifty

P. 300 (150), two hundred feet (200'), about on the port line, the
Contd. port mooring line, starboard, on the corner of the quay, you understand, and the port one on the other bollard which is the third, which is about one hundred and fifty feet (150'), and the boat is held there, and gradually I turn it on the quay.

Q. You rest the bow of the vessel on the quay?

A. The stem post, yes.

Q. On which part of the quay do you rest it? On the end of the quay or on the side?

A. On the west side of the quay.

Q. Then, you carry out your turn?

A. I beg your pardon?

Q. You bring your vessel up to the west side of the quay?

A. Yes.

Q. Then you put the head of the vessel on the quay?

A. Yes.

Q. You attach the head of the vessel with two mooring lines?

A. Yes one on the right and one on the left.

Q. One on the right and one on the left, and then, you turn your vessel?

A. Yes.

P. 301 Q. With the motors?

A. Yes.

Q. That is how it's done?

A. Yes, when the weather is good.

Q. Then do you always tie your vessel up in that way?

A. Oh no, not always; it always depends on the weather.

P. 301
Contd.

Q. Do you always tie up with the head towards the sea?

A. Always, oh yes, a moment . . .

Q. Why so?

A. A moment: here, it is an open port, storms blow up here in as short a time as three hours, and if you are not on stand-by, your vessel can snap all its mooring lines and drift off.

Q. That, then, is why you always tie them up with the bow toward the sea?

A. Yes, I have always taken this precaution.

Q. Now, when you are on the bridge of the vessel, is it you who gives the orders?

A. Yes.

Q. What orders do you give, and to whom?

A. Well, when I am on the bridge, I give my orders . 302 to the captain and the captain repeats -/- them to the helmsman and the helmsman repeats them again to me. That is all that happens. We work, we bring the vessel in, no more than that.

Q. And for operation of the engines?

A. It is myself who gives all the orders.

Q. All the orders. You give those to the captain?

A. Always to the captain.

Q. Always to the captain?

A. Always to the captain.

Q. It is he who gives the orders?

A. Yes.

Q. To his officers or to his seamen?

P. 302
Contd.

A. That's correct. The whole manoeuvre is carried out by myself.

Q. Now, you spoke of your boat, a short while ago; what is this boat of yours?

A. . . .

Q. You spoke of a boat which went to bring mooring lines aboard the vessel and which brought them on to the quay?

A. Ah no, that is the pilot boat.

When the wind is from the north-east, when it comes from the east or from the north east, here, when the vessel has almost brought up . . .

P. 303

Q. That is correct, that is the operation; but the pilot boat, is it yours?

A. Yes, it is mine.

Q. How large is it?

A. Thirty-nine feet (39').

Q. It has a motor?

A. I have a one hundred and thirty-five (135) horsepower motor aboard.

Q. Is it covered or open?

A. It is open astern for the lines.

It is covered up front, I have a cabin there; only the stern is rather - I had it opened, astern, for the lines.

Q. To place lines. That is your boat?

A. Yes.

Q. When did you buy it or have it built?

A. Here . . . nineteen fifty (1950) . . . nineteen fifty-three (1953) . . . ten years ago.

Q. You got it ten years ago?

P. 303
Contd.

A. Eight or ten years.

Q. Did you buy it or have it built?

A. It was bought new.

Pa 304

Q. How much did you pay for it?

A. The boat . . . well, the boat we bought, it was just the hull; we did the finishing work on it ourselves. We just bought the hull of the boat, ourselves, and we paid eight hundred dollars for the hull, just the hull.

Q. You put a motor in it?

A. Yes, we did all the finishing.

Q. Your motor cost you how much?

A. Two thousand, four hundred and twenty-seven dollars (\$2,427.00).

Q. Now, you say that you finished it yourselves. Yourselves included whom?

A. A carpenter with myself. Two carpenters and myself.

Q. And you calculate that it cost you how much, taking the time you spent on it into account?

A. Eight thousand dollars (\$8,000.00).

Q. Eight thousand dollars (\$8,000.00). And how much does it cost you per year for operation, repairs and maintenance?

A. I would say, overall . . . overall, the boat costs me about eight hundred dollars (\$800.00) to one thousand, two hundred dollars (\$1,200.00) per years.

P. 305

Q. Eight hundred dollars (\$800.00) to one thousand, two hundred dollars (\$1,200.00) per year?

A. From eight hundred dollars (\$800.00) to one thousand, two hundred dollars (\$1,200.00). You will

P. 305 probably find the difference great, but . . .
Contd.

Q. What does that include, eight hundred dollars (\$800.00) to one thousand, two hundred dollars (\$1,200.00)?

A. Accidents that we have, storms, you understand, in storms the boat gets battered about.

Repairs, heavy storms, when those come to the coast, you know how it is.

Q. Now, do you have any other equipment whatsoever aboard this boat?

A. Oh we have everything necessary.

Q. What do you have?

A. Lifesaving buoys, compass (?); we did have a radio-telephone, but we took it out.

Q. You took it out?

A. Electric power lastly, suitable for a vessel.

Q. Why did you take out your radio-telephone?

A. It rusted.

Q. It rusted?

A. It was too rusty.

P. 306 Q. How does that happen? You -/- placed it on the deck?

A. No, salt water you know, in storms, gets in everywhere.

Q. When did you take your radio-telephone out?

A. Last year. It was an Army-radio.

Q. Are you thinking of replacing the radio?

A. That's just we are working on at the moment.

Q. Replacing it?

A. Yes, that is what we are working on.

P. 306
Contd.

Q. "We are working", who are "we"?

A. I mean, with the company, Mr. Myles.

Q. Then, your boat costs you from eight hundred dollars (\$800.00) to one thousand, two hundred dollars (\$1,200.00) per year. Do you have insurance on this boat?

A. Yes.

Q. Marine insurance?

A. No, the government, fishing licence.

Q. A fisherman's licence?

A. Yes, because we use the boat for fishing, too.

P. 307

Q. But do you have marine insurance?

A. That's it, that is the insurance we have.

Q. What does it cover?

A. It amounts to seven thousand dollars (\$7,000.00), at the moment, and if we had an accident, they would deduct forty per cent (40%) of the value and they would give us the balance. That isn't very much.

Q. It's not very much, government insurance . . .

A. Yes, but it would cost ten per cent (10%) - ten times the value that we presently pay the government as fisherman, that would cost to us - I believe that we pay forty-eight dollars (\$48.00), I believe, per year, or seventy-eight dollars (\$78.00), I can't tell you exactly, and then, an insurance company would cost us four hundred and eighty dollars (\$480.00) or seven hundred and eighty dollars (\$780.00).

Q. Now, does that cover public liability?

A. No, we are not insured, us.

Q. But you personally for your work as a pilot, do you have any insurance whatsoever?

A. No.

- P. 308 Q. You have no insurance?
- A. No.
- Q. Now, would you tell us at what point you board a vessel, and at what point you leave vessels when you pilot them?
- A. . . .
- Q. How many miles outside Dupuis Island?
- A. Between three and five miles.
- Q. From three to five miles outside Dupuis island?
- A. Yes.
- Q. Who advises you that the vessel is about to arrive?
- A. The captain advises us.
- Q. The captain advises whom?
- A. Gaspesia Sulphite, their agent, and the agent calls me, and lets me know that the vessel's ETA is for tomorrow, let us say, at two in the afternoon. I prepare myself accordingly.
- Q. You said that you are also a merchant?
- A. Yes, a business man.
- Q. Business man. Then, you leave your business and go piloting?
- A. Yes.
- P. 309 Q. How long does it take you to bring a vessel to the quay?
- A. That depends.
- Q. Let's say: in the majority of cases, roughly, how long does it take you?
- A. Well, it may take an hour, two hours sometimes.
- Q. An hour or two?
- A. Before I have turned it. Vessels are not all the same.

P. 309 Q. Yes, I understand. Now, when the weather is bad,
Contd. do you take longer?

A. Well . . . no, it is never more than two hours.

Q. It is never more than two hours?

A. No.

Q. And do you take the same length of time to take a
vessel out?

A. No, there is nothing to taking a vessel out.

Q. How long does it take to take a vessel out?

A. Ten to fifteen minutes.

Q. Ten to fifteen minutes?

A. Ten to fifteen minutes, once on the way.

Q. Who looks after your boat when you are aboard a
vessel?

P. 310 A. My brother.

Q. And he comes out to bring you back too?

A. Yes.

Q. Do you pay him any wages for that?

A. Oh, yes.

Q. How much do you pay him?

A. I give him twenty-five dollars (\$25.00) per vessel.

Q. Twenty-five dollars (\$25.00) per vessel, that is
for both trips, or one way?

A. One trip.

Q. Twenty-five dollars (\$25.00) to go and take you
aboard?

A. No, twenty-five dollars (\$25.00) for both.

Q. For both?

A. Yes.

Q. And how much do you charge for piloting your
vessel?

P. 310 A. One hundred and twenty-five dollars (\$125.00).
Contd.

Q. Is that a fixed rate?

A. Yes.

Q. For all vessels?

A. Yes.

P. 311 Q. How did you arrive at that figure?

A. That was what my father asked . . .

Q. Your father charged that price?

A. Yes.

Q. And you still charge the same price?

A. Yes.

Q. For how many years has the rate been fixed at that?

A. Fifteen to eighteen years - fifteen years.

Q. Fifteen years?

A. Fifteen to eighteen years.

Q. The rate has not changed in fifteen years?

A. No.

Q. Do you charge the vessel that you pilot the additional money that you pay your brother to handle the boat?

A. No.

Q. It comes out of the hundred and twenty-five dollars (\$125.00)?

A. And I have four men in addition to that.

Q. You have four men?

A. Yes, the linesmen.

Q. The linesmen?

A. Yes.

P. 312 Q. Now, are the linesmen included in the hundred and twenty-five dollars (\$125.00)?

A. Yes.

Q. All that for one hundred and twenty-five dollars (\$125.00)?

P. 312
Contd.

A. Yes.

Q. You supply your boat, you pilot the vessel and you supply four linesmen on the quay for a hundred and twenty-five dollars (\$125.00), to bring it in and take it out?

A. Yes.

Q. Do you keep records of the vessels you pilot?

A. Yes, I have all my records.

Q. What do they include, those records?

A. The record is here: each vessel with the name of the vessel, the day, the date with the amount: a hundred and twenty-five dollars (\$125.00).

Q. You don't have the national flag of the vessel in your list? The nationality of the vessel?

A. No, here, I pilot English vessels, and Norwegian, Swedish, Danish, Italian, Canadian and Chinese.

Q. You don't have to take Chinese vessels every day?

A. They come every year.

P. 313
Q. How do you make out on language aboard the Chinese vessel?

A. They always speak English; they understand English; the captains: they are very nice.

Q. In your records, would you have the tonnage of those vessels?

A. Yes, with their harbour dues; my father is harbour-master.

Q. Your father is still alive, and he is harbour-master?

A. Yes.

Q. He has the tonnage and the name of the vessel?

A. The net tonnage.

- P. 313
Contd.
- Q. The net tonnage; that is what we are interested in. Would he also have the nationality?
- A. No, I could always find it out when you want to know it, you can have it.
- Q. And those records go back to what year?
- A. For the last ten years, I believe that I have mine yet . . . eight years, if I remember correctly, I have them all . . . yes, oh yes, at least ten years, I believe.
- Q. Then, if we give you the address of the Commission later, would you be good enough to copy your records, let us say, for last year?
- A. Yes.
- P. 314
- Q. With the date, the name of the vessel and the net tonnage?
- A. Yes.
- Q. And after that, will you try to obtain the nationality of the vessel. That, then, would make four columns?
- A. Very well.
- Q. Now, the money you make from your pilotage is used to pay the linesmen; how much would be left to you after balancing up, once the vessel had been piloted and docked?
- A. Oh, fifty-odd dollars (\$50.00).
- Q. Fifty dollars (\$50.00)?
- A. About fifty dollars (\$50.00); there are always the repairs . . .
- Q. Now, you spoke of an accident just then; have you had many accidents?
- A. Every year . . . ah, you mean accidents, not with the vessels?
- Q. Yes, with the vessels?

P. 314 A. Oh no, never, oh no. I thought you meant with my
Contd. pilot boat; I thought you were speaking of that.

Q. You have never had accidents?

A. No. There was the matter . . . there was the
dent . . .

P. 315 Q. What you explained just then, -/- the dent on the
side of the vessel?

A. Yes.

THE PRESIDENT:

Q. How much do you pay the linesmen?

A. Five dollars (\$5.00) each.

Mr. MAURICE JACQUES,

For the Commission:

Q. Would you tell the Commission your views on the
establishment of a pilotage district at Chandler, under the
Canada Shipping Act, with authority for pilotage under the
department of Transport or a local authority?

A. Could I be allowed to ask a question before
answering?

Q. Certainly.

A. By accepting that, would I lose my pilotage
rights?

Q. On the contrary, I don't believe you would lose
your right to carry on piloting.

A. Because I am not licensed, you understand.

Q. Quite, the machinery we have just spoken to you
about, the pilotage authority, is an authority set up to
grant licences to pilots, and the fact that the pilot is
P. 316 licensed gives him a certain -/- measure of protection

P. 316 under the law, limits his responsibility or his negligence
Contd. or mistakes that he may make coming alongside, manoeuvring
a vessel, to three hundred dollars (\$300.00) for example,
and at the same time, payment of pilotage fees may be made
compulsory for the moving of vessels, except certain classes
of vessels, even if the vessels do not take a pilot.

The Act also permits the pilotage authority to fix
pilotage rates which may be demanded by the pilot, also
permits of making pilotage compulsory, permits of creation
of a pension fund which is, perhaps, not an outstanding
one, but at least it is a pension fund nevertheless.

Those, then, are the advantages that it can confer on
you and there may be many others I cannot see apart from
those.

THE PRESIDENT:

Preventing, perhaps, unfair competition if there is
any. There is none in this case.

Mr. MAURICE JACQUES,

for the Commission:

Q. Has any one else ever tried to carry on
pilotage, apart from yourself and your brother, to the
best of your knowledge?

A. Oh, yes, there was once a pilot who came
here.

- P. 317 Q. From what place?
- A. From Quebec, I believe.
- Q. From Quebec?
- A. And he didn't like it, he had a great deal of trouble and he left.
- Q. Is that long since?
- A. Oh, it was a long time ago.
- Q. How many years, roughly?
- A. About twelve years, I believe.
- Q. How long did he stay here?
- A. Just for one vessel, then he left afterwards.
- THE PRESIDENT:
- Q. Do you remember his name?
- A. ... I would like to know whether by replying to the question you just put to me...
- Q. That does not concern you at all. We know that you have not had time to think of it, that you have not had time to study the matter, but we wondered if you had already thought of it. If you have not already thought of it...
- A. On condition that the government continues to let me pilot, I would be in favour of it.
- Mr. MAURICE JACQUES,
for the Commission:
- Q. Apart from the one pilot who came here to
318 practice -/- pilotage, were there any other persons who
tried to pass themselves off as pilots?

P. 318
Cont'd

A. No, not since my father took over.

Q. Not since your father took control?

A. No.

Q. There was no one who came?

A. No.

Q. Now, I want to be even more certain of your answer: All the vessels which come here, except coastal vessels, take you as pilot?

A. Yes.

Q. They never come in without a pilot?

A. No.

Q. Do they ever leave without a pilot?

A. Yes.

Q. Then, there were how many among the forty or forty-five that you had piloted which left without a pilot?

A. Oh, about twelve, I believe,

Q. About twelve?

A. When the weather is good, and the captain is familiar with this place, you understand, there are boats here which come every month, you understand; well, those boats, the captain tells me, you understand, when the -- weather is good, he says to me: "Forget about it, just take off the line and I will take my ship out", because he has only, you understand, he has only to set his course and leave.

He saves himself time doing that because he has to wait with me outside, he has to stop outside and wait for the pilot boat to come and get me, and sometimes they are in a hurry, they want to carry on.

P. 319 Q. A captain who says that to you on leaving,
Cont'd when he returns on the following trip, does he take
you for coming in?

A. Oh yes.

Q. Always?

A. Always.

Q. Would there be any way of having a list of
vessels which don't take a pilot, of coastal vessels?
Do you believe that that could be obtained?

A. Well, there was only the Marsoui.

Q. It sank, the Marsoui.

A. It was here in the month of November last year.

Q. It burned since then it sank in the bay of
Gaspé. Apart from the Marsoui, who else came here?

A. Small lumber barges which came to carry lumber
here. But that is finished now.

Q. Whose barges?

P. 32 A. Verreault's.

Q. Borromée Verreault?

A. Yes.

Q. The Kita?

A. Yes, Lady Cecile, the Humphrey Mitchell,
the Lucie McDonald and various others.

Q. Did any Clarke boats come here?

A. No, not at present.

Q. There are none of them which come here?

A. No, not at present.

P. 320
Cont'd

Mr. ROUSSEAU:

Q. I believe you mentioned the fact that the pilot who came here was a member of the Corporation of Pilots of the Lower St-Lawrence. Could we have this matter clarified? There are people in Quebec who claim to be pilots and who are not members of our corporation?

A. ...I could ask my father about that;
I do not know whether he remembers his name.

Mr. MAURICE JACQUES,

for the Commission:

Q. Would you ask him for the name of this pilot, and when you send the information to the Commission

P. 321 that we asked you for will you include it and -/-
the Commission will inform Mr. Rousseau?

A. Very well, yes.

Mr. HAROLD ALEXANDER RENWICK:

Concerning the question made by Commissioner Smith and the answer by the pilot, he would be in favour of pilotage becoming under the Canada Shipping Act, so long as he is permitted to pilot.

Mr. MAURICE JACQUES,

Counsel for the Commission:

Yes Sir.



P. MOLLOY
Enquête
EX. - 321

la Commission va en faire part à monsieur Rousseau?

R Très bien, oui.

Mr. HAROLD ALEXANDER RENWICK:

Concerning the question made by Commissioner Smith and the answer by the pilot, he would be in favour of pilotage becoming under the Canada Shipping Act, so long as he is permitted to pilot.

MR. MAURICE JACQUES,

Counsel for the Commission:

Yes Sir.

MR. HAROLD ALEXANDER RENWICK,

Commissioner:

It is my impression that under the Canada Shipping Act, he doesn't have the necessary qualifications to qualify.

MR. MAURICE JACQUES,

Counsel for the Commission:

Perhaps Captain Slocombe is in a better position to answer, but my own view is that the Act does not require specific qualifications, but the by-laws adopted under the Act may specify that the pilot should hold a certificate of marine captain or anything like that.



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P. MOLLOY,
Inquiry,
EX. - 322

A. That is entirely correct, it is up to the
pilotage authority of the district to decide on the by-laws.

- AND FURTHER DEPONENT SAITH NOT -

I, the undersigned Court Reporter,
hereby certify that the above evidence
is a true transcript of my shorthand
notes.

G. OSCAR BOISJOLY
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

MR. MAURICE JACQUES, Attorney.

ON BOARD S.S . C.D. HOWE, Chandler,

7:00 P.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

ROLLAND MYLES, age 36, being duly sworn on
the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. What is your occupation?

A. Shipping and finishing superintendent at the
Gaspesia Pulp and Paper.

Q. How long have you occupied that position?

A. 13 years.



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TORONTO, ONTARIO

R. MYLES,
Inquiry,
EX. - 324

1
2
3
4 Q. 13 years. As in charge of shipping, do you
5 have anything to do with the maritime traffic in the harbour?

6 A. Well, we are ship agents for all the foreign
7 ships and canadian ships and the tankers that come in the
8 harbour.

9 Q. So, all the agency work, would we say, of
10 all ships calling here would be done by your firm?

11 A. Yes.

12 Q. Would that include small coasters?

13 A. No, I am talking about all foreign ships
14 and the tankers.

15 Q. And the tankers?

16 A. Yes Sir.

17 Q. So, you would not be agent for the Marsoui
18 and the Verreault boats and the small pulp-carrying boats?

19 A. No.

20 Q. Now Sir, are you able to tell the Commission
21 of the trend in the development of the port here, over the past
22 5 years?

23 A. Well, I have some statistics here for 1961-
24 1962. In export, wood pulp, in 1961, we had 21 vessels, and
25 they carried 48,796 short tons.

26 In the same year, 1961, in the port, we have
27 5 ships carrying sulphur, and they carried 11,667 tons, and we
28 had 14 oil tankers which carried 49,844 tons, making a total,
29 for 1961, of 40 ships and 110,307 tons.
30



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TORONTO, ONTARIO

R. MYLES,
Inquiry,
EX. - 325

Now, in 1962, we had just about the same number of ships, actually a little less, we had 22 ships which carried 35,526 tons, we had 4 sulphur which carried 10,176 and 12 tankers which carried 50,432 tons, for a total of 38 ships and 96,134 tons.

Q. So, there is a decrease in the tonnage for the year 1961 to 1962?

A. Yes, it was not a very slight increase, only 14,000 tons.

Q. A decrease?

A. Yes, 14,110 to 96,000.

Q. Now, would this decrease be indicative of the trend?

A. No, actually, this year we should have about, say, over 100,000 tons again.

Q. For 1963?

A. 1963.

Q. Now, in the past, has it been approximately the same level or lower?

A. There was quite a few variations there.

I will say, in 1949, there was a drop in sulphite, and in the year 1950 to 1952, it was very good, and there was a slack period in 1956 to 1958-1959, and then it went up again.

But, this average here is pretty representative of the trend that we have now for the last 5 years, I think.



R. MYLES,
Inquiry,
EX. - 326

1
2
3
4 Q. So, it would be more or less stationary at
5 that level?

6 A. Yes.

7 Q. Apart from your own company, are there any
8 major industries in the area which would use the harbour
9 facilities?

10 A. No, well, for a while, we had this Marsoui,
11 that boat.....I couldn't say how many ships, but I am sure
12 they were here at least once a month carrying freight from
13 Quebec and Montreal; and besides that, I think we had 2 ships
14 that brought some fish machinery for the plant, when they built
15 the new port-fish plant, and the other one brought some pipes
16 from England; I think that's about all the ships we had besides
17 that.

18 Of course, until 1960-1961, we had the
19 Anglo barges carrying our pulpwood from P.E.I. and Nova-Scotia,
20 but now, this is finished, we don't receive pulpwood now by
21 boat.

22 Q. You receive it by train or truck?

23 A. By truck and rail.

24 Q. Truck and rail?

25 A. Yes.

26 Q. Do you foresee that these shipments of
27 pulpwood could again be done by ship?

28 A. Well, if we have a second machine - actually,
29 we are going to start producing newsprint in November of this
30



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TORONTO, ONTARIO

R. MYLES,
Inquiry,
EX. - 327

1
2
3
4 year, and this will be about 90,000 tons per year, much of
5 which will be shipped by water to the New York area.

6 Q. So, in 1964, you would foresee an increase
7 in the number of ships calling here?

8 A. Oh yes, I would say that right now, we have
9 about 40 ships to ship 80,000 tons of newsprint; we estimate
10 that each ship will carry about 3,500 tons, so that could
11 mean 35 or 36 more ships of newsprint.

12 Q. Of newsprint in 1964?

13 A. In 1964, plus 4 or 5 tankers, and then, the
14 pulpwood will probably come in by boat, if we start the second
15 machine, like the plans are now.

16 Q. To start a second machine?

17 A. To start a second paper machine.

18 Q. Now, you have been talking about tankers;
19 would you know the flag of these tankers?

20 A. The one that comes here is the River Transport

21 Q. Would you know personally whether she takes
22 the pilot or not?

23 A. I am not agent for the tankers, but I have
24 talked to the agent today, and he told me that the tankers were
25 taking the pilot.

26 Q. That's hearsay, but I think we can have
27 the same information from the pilot who is here now. Would
28 you be able to tell us the destination and the point of region
29 of this cargo you mentioned for 1961-1962, and also for 1963,
30 what she carries?



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R. MYLES,
Inquiry,
EX. - 328

1
2
3
4 A. The sulphur is from Texas.

5 Q. Does it come on Canadian ships or foreign-
6 flagged ships?

7 A. Foreign-flagged ships.

8 Q. Do you know what flag?

9 A. I think they are Norwegian, most of the ones
10 we receive are Norwegian.

11 They belong to the Canadian Gulf Line, they
12 are chartered by the Canadian Gulf Line, but starting with this
13 year, they are chartered by a Montreal shipping company.

14 Q. That's for sulphur; and now, for other
15 commodities?

16 A. The oil comes from Montreal.

17 Now, the pulpwood, do you want some percentage?

18 Q. If you can?

19 A. Say that a little bit more than half goes
20 to England, and about 10,000 to France.

21 Q. That's 10,000 tons?

22 A. Yes, to France. And the balance is Greece,
23 Italy, Spain, Australia, Mexico.

24 Q. You have a worldwide market. Are they the
25 only ones which you listed?

26 A. Yes.

27 MR. ROBERT KNOWLTON SMITH,
28 Commissioner:
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30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

R. MYLES,
Inquiry,
EX. - 329

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4 Q. Just one question, my Lord: I would like to
5 ask the witness, I don't think you would fail to be familiar
6 with the hazards and the perils of the sea to realize that
7 navigation in this harbour is not easy. You have good pilotage
8 here, no question about that; the evidence that was given
9 substantiates that fact, but do you think there may be room
10 for improvement in the set-up, if a district was established
11 and it was properly organized and under the authority of the
12 Minister or some other official authority? What is your view?

13 A. I have no experience with the district
14 pilotage, because I was always here, and I never worked with
15 an organized pilotage district.

16 Q. No, but you have been in the shipping business

17 A.It is hard to say.

18 As far as the hazards, what we work along
19 is to get a deep-water wharf which will be a protection for
20 ships in a way because there will be more water, and we wouldn't
21 have the island as a hazard there, and the channel, we will
22 have no difficulty with the channel, there will be plenty of
23 water.

24 Because I know, by being ship agent, that most
25 captains, when they find out they have to come to Chandler, they
26 want to stay on the ship, they don't want to go ashore, they
27 know that at Chandler, they have to pull out suddenly, quite a
28 few times.
29
30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

R. MYLES,
Inquiry,
EX. - 330

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. There are aids to navigation here in the harbour; do you know who looks after them?

A. The lights?

Q. Range-lights and buoys?

A. We have the warfinger which is supposed to report - I don't know who is the man actually looking after the lights.

Q. Do you know if it is the Government?

A. Yes, the Department of Transport.

Q. The Department of Transport?

A. Yes.

Q. Now, is there any dredging done in the harbour, here?

A. I couldn't say for sure, but I think the last one was done in 1954 or 1956.

THE PRESIDENT:

Q. On the map, it is marked 1956?

A. 1956.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Do you know whether it was done by the Department of Public Works...



R. MYLES,
Inquiry,
EX. - 331

A. I believe it was given by contract.

Q. But it was done by the Government - at the costs of the Government?

A. Oh yes.

Q. This rate of \$ 125.00 per ship that has been steady for a great number of years, as agent, have you ever been approached by the pilot for an increase?

A. He often tells me that his boat is costing him a lot of money and so forth; he would like an increase.

Q. What is stopping the increase?

A. As agents, we are not paying - as Gaspesia Pulp and Paper, we are not paying the fee - we are paying it, but it is charged to the company. We have to protect, in a way, the shipping company so there will not be too many charges in a boat, but once the shipping company accepts the price, we have the authorization of the captain, and he signs a bill.....

Q. What would you do if tomorrow morning, your pilot said: "I am not going out unless I get \$ 200.00"?

A. Could I refuse comment?

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
MR. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Chandler,
7:00 P.M.

On the twentieth day of May, the year
nineteen hundred and sixty three:

MR. LOUIS DOIRON, being duly sworn on the
Holy Evangelists, doth depose and say:

THE WITNESS:

I am a lawyer here in town, and I represent
the Board of Trade. Previously, I was the past-president of
the Board and Trade for Caspe Peninsula, and today, I am a
director of La Chambre de Commerce de la Province, and member
of the executive.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L. DOIRON,
Inquiry,
EX. - 333

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4 I want to say that we of Chandler appreciate
5 the fact that the Commission has stopped here. I want to thank
6 you for your visit to our harbour.

7 The question of pilotage has never been brought
8 up before the Board of Trade, so we are not prepared to give
9 you all the answers. So, if you want to put questions, we
10 will try to answer to the best we can, I mean, on the general
11 aspect, on the economic aspect of the locality and the region,
12 we will try to answer the best we can.

13 MR. MAURICE JACQUES,

14 Counsel for the Commission:

15 Q. We would like you to let us know the
16 predictions, if any, that would be made on the development
17 of shipping here. Would you prepare that and forward it to
18 the Commission?

19 A. First of all, I want to say that we of the
20 Chamber of Commerce, we are working on a project of extension
21 to the wharf facilities, and actually, we have a project which
22 is practically completed; the only question is obtaining
23 money from the Government to do it.

24 There was also a question of some contribution
25 from Gaspesia Pulp and Paper because this company is practically
26 the only organization using the harbour.

27 So, the Federal Government wanted a contribution
28 from Gaspesia, and there was this question of the extension to
29
30



L. DOIRON,
Inquiry,
EX. - 334

the mill which costsThe first phase of the extension will cost approximately \$ 17,000,000.00, and the whole project which means only one paper-machine and the whole project would be four paper-machines, it will cost nearly \$ 50,000,000.00, which is quite an investment for a small locality like this, and this is why we wanted the contribution from the Federal Government to be higher, and theirs to be as low as possible.

Today, we have nearly come to an agreement on it, and probably the work will start next year, I presume.

The next thing which is interesting here is the Winter navigation. We have boats coming here every month of the year, even in January, February, November, December, any time of the year, they can come to the wharf.

THE PRESIDENT:

Q. Is it ice free?

A. It is ice free all year-round.

MR. ROBERT KNOWLTON SMITH,

Commissioner:

Q. Do you have to have any ice-breaker system?

A. No. The ice-breaker - the worse part is from here to Percé and Anticosti. I assume the difficulty is not in the harbour; it is outside the harbour.

And as far as the population is concerned, the increase in the population is not very considerable, but with the extension of the mill, we assume that - right now,



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TORONTO, ONTARIO

L. DOIRON,
Inquiry,
EX. - 335

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4 we are about 4,500 here in Chandler, but the Chandler mill -
5 Chandler town is what we call an industrial area which has an
6 affect on the economy of all the surrounding localities, like
7 Newport, Pabos Mills, St-Adelaide, etc...

8 We have a memoire which we have prepared
9 for the Department of Public Works in Ottawa, it was presented
10 in Ottawa in 1959; I am going to send a copy of this.

11 THE PRESIDENT:

12 Q. We would appreciate it very much.

13 A. And there was also a maquette prepared in
14 Ottawa with all the harbour...

15 MR. MAURICE JACQUES,

16 Counsel for the Commission:

17 Q. A scale model?

18 A. A scale model, and that was in 1959 also.

19 So, the population of Chandler and the
20 surroundings would probably increase considerably in the next
21 4 or 5 years, and we are working on a new industry here in
22 Chandler; we expect to have some more.

23 Q. Thank you very much, Sir.

24
25
26
27 AND FURTHER DEPONENT SAITH NOT.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

L. DOIRON,
Inquiry,
EX. - 336

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE

PRESENT: HONOURABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

Mr. MAURICE JACQUES, Solicitor

ON BOARD S.S. C.D. HOWE, CHANDLER, 7:00 P.M.

On the twentieth day of May, the year nineteen hundred and sixty three:

PIERRE MOLLOY, aged 49, being duly sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. You are still under oath, Mr. Molloy, there was the matter of tankers, a short time ago?

A. Yes.

Q. Have you also piloted these vessels?

. 338

A. Yes.

Q. Is it always the same tanker which comes here?

A. This year, I think so, it's always the same.

Q. Last year?

A. No, there was a different one, once or twice.

Q. Twice?

A. Yes.

Q. They made how many trips, roughly, in nineteen sixty two (1962), these tankers?

A. Ten or twelve trips, I believe.

Q. Is it always the same captain aboard?

A. No, the other boat, it has another captain.

You mean, the one who comes ...?

P. 338
Cont'd

Q. Yes.

A. Yes, always.

Q. Always the same captain?

A. Yes.

Q. Do you know him?

A. Yes.

Q. Has he been coming here a long time?

P. 339
Cont'd

A. I would say ... about four years.

Q. Four years?

A. Yes.

Q. Then, he knows the place well enough?

A. Yes.

Q. Nevertheless he takes a pilot?

A. Yes.

Q. Does he take a pilot on leaving?

A. Not always.

Q. Not always?

A. No.

Q. Now, what is your busiest month of the year?

A. ... oh, July, August.

Q. July, August. And during the Winter, during the months of Winter, January, February, March, do you have much work?

A. One or two vessels per month, sometimes.

Q. Now, is there ice in the port?

A. Yes.

Q. Is it really frozen?

P. 340 A. No, about ... it all depends on the seasons, the Winters. This Winter, there was no ice at all.

Q. In the Winter of nineteen sixty-two (1962) sixty three (63), the Winter which has just ended, was there no ice?

A. No.

Q. When there is ice, does this make your manoeuvres more difficult?

A. Naturally.

Q. Does it make them more dangerous?

A. You understand, vessels which come here in the Winter are semi-ice-breakers with the hull reinforced forward, and I make passes, you understand?

Q. Yes.

A. I make passes, I back up, I go forward until my passage has been made.

Q. That breaks the ice?

A. Yes.

Q. And that brings you alongside the quay?

A. Yes. In Winter, it takes more time; and when there is too much ice, as in nineteen sixty (1960), I believe, or nineteen sixty one (1961), then I go up to Quebec where the vessel is, and I go aboard there, and we carry on our work outside.

Q. Now, in Winter, how do you go aboard a vessel
341 in Winter, if there is ice, in cases when you don't go to Quebec to take the vessel?

A. There was once I went aboard over the ice, I went aboard on the ice.

P. 341
Cont'd

Q. Did you walk on the ice?

A. Yes.

Q. Apart from that do you use your boat in Winter?

A. No.

Q. What do you do to get aboard a vessel?

A. I went to Quebec, where the vessel was.

Q. You go and join the vessel at the location
where it is?

A. Yes.

Q. Now, you have been doing that for years here,
you were brought up to do it, you have manoeuvred vessels
fairly often here? Would you have any suggestions to make
to render your manoeuvres easier, placing mooring buoys
for your vessels, perhaps having a tug - you do not have
a tug here?

A. A tug would be a great help.

Q. A tug would be a great help?

A. Yes.

P. 342 Q. Now, in the installations, the quay and its
approaches, would you have any changes to suggest?

A. The west side of the quay ought to be completely
repaired.

Q. Why?

A. Because it is all broken up.

Q. It is all broken up?

A. There are no rails below, in wood; we have
only cement. Boats which arrive here, are raked at the
bow, you understand...

Q. Yes.

P. 342
Cont'd A. New boats like the one that's due to come in
next week, that vessel, last year, that freighter,
arrives near the quay, with the tide, it touches, it
scratches, then it knocks off the paint work.

Q. Do the scratches damage them?

A. No, not the scratches, but it is enough
to make the captain shun the port.

- AND FURTHER DEPONENT SAITH NOT -

THE PRESIDENT:

Now, gentlemen, we thank you very much
for the information that you have given us,
and as I told you at the beginning, we
understand that you were not prepared, for
such a sitting. You see now what we are after,
and any additional information you may be
able to give us, please do so, we will be
greatly obliged.

P. 343

Among other things we would like to have the
document of the Chamber of Commerce presented
to the department of Transport in nineteen
fifty one (1951).

ADJOURNED TO DALHOUSIE AT 9:00 A.M., THE
FOLLOWING DAY

Mr. MAURICE JACQUES,

Counsel for the Commission:

After the hearing, witnesses Myles and Molloy
were interviewed by the Commission Counsel on the
discrepancy of the figures given by Molloy on the expenses
in connection with pilotage.

P. 343
Cont'd This discrepancy was explained by both
witnesses as resulting from kick-backs which the
pilot has to give to most masters of the ships
which he handles.

 This kick-back is usually \$25.00 which the
pilot has to give; otherwise, the master threatens to
dispense with his services.



Enquête
- 343

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tenant ce que nous cherchons, et tout
renseignement additionnel que vous
pourrez nous donner, veuillez le faire,
vous nous rendrez grandement service,

8
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12
Nous aimerions entre autre avoir le
document que la Chambre de Commerce a
présenté au département des Transports
en mil neuf cent cinquante et un (1951).

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AJOURNE A DALHOUSIE A 9:00 HEURES A.M.,
LE LENDEMAIN.

Mr. MAURICE JACQUES,

Counsel for the Commission:

After the hearing, witnesses Myles and
Molloy were interviewed by the Commission Counsel on the
discrepancy of the figures given by Molloy on the expenses
in connection with pilotage.

This discrepancy was explained by both
witnesses as resulting from kick-backs which the pilot has
to give to most masters of the ships which he handles.

This kick-back is usually \$ 25.00 which the
pilot has to give; otherwise, the master threatens to dispense
with his services.



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TORONTO, ONTARIO

Inquiry,
- 344

Pilot Molloy was warned by Counsel that the facts so stated would be considered as being given under oath, and he persisted in his statement.

I, the undersigned, Court Reporter,
hereby certify that the above is a
true transcript of my shorthand notes.

G. OSCAR BOISJOLY,
Court Reporter.

ROYAL COMMISSION

ON

PILOTAGE

HEARINGS

HELD AT
ON BOARD
C.D. HOWE

DALHOUSIE, N.B.
&
BATHURST, N.B.

VOLUME No.: 4 CDH

DATE:

May 21, 1963

OFFICIAL REPORTERS

ANGUS, STONEHOUSE & CO. LTD.
BOARD OF TRADE BLDG.
11 ADELAIDE ST. W.
TORONTO

364-5865

364-7383



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICH, Esq.

MR. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Dalhousie,
9:00 A.M.

On the twenty-first day of May, the year
nineteen hundred and sixty three:

THE PRESIDENT:

I won't be very long, because all of you
know what we are and what we are here for. Those who have
been with us for sometime have heard my speech, and I see no
new-comer except Mr. Bédard, and he is going to have occasion
to hear it, so I am going to leave it at that.

As far as Mr. Cobham, he saw us at work in
St-John, he knows what we are after; we are here to get the
facts and to know the place, what it is.

As they say, a thousand words is not worth



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

Inquiry,
- 346 -

a good look. So, we will see and have a good look at you
first and hear you after that.

So, will you proceed, please.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:
ROBERT KNOWLTON SMITH, Esq.
HAROLD ALEXANDER RENWICK, Esq.
MR. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Dalhousie,
9:00 A.M.

On the twenty-first day of May, the year
nineteen hundred and sixty three:

ARTHUR FREDERIC CARR, age 78, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,
Counsel for the Commission:

Q. I understand that you are the secretary of
the local pilotage commission here?

A. That's correct.

Q. How long have you been secretary?

A. Since 1914.



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 348

1
2
3
4 Q. Are there any of the original members still
5 sitting with you on this commission?

6 A. There would beI will have to look it
7 up.....Mr. Richards. There is only one that is still there.

8 Q. So, with all these years, some 50 years,
9 you should be familiar with the administration of the pilotage
10 here in the Restigouche?

11 A. Yes.

12 O. Now, Sir, in your duties as secretary, you
13 have to keep records of minutes of meetings of the commission?

14 A. Yes.

15 O. Have you a book of minutes?

16 A. Yes, I have the minute-book here.

17 O. And would you explain to the Commission how
18 you have kept your minutes so far?

19 A. Well, of course, the minutes were recorded,
20 this book goes back to 1914, and we don't hold meetings
21 frequently, because the commissioners are busy men, and when
22 we have something that should be brought before the meeting,
23 I prepare a letter as requesting a motion and send it to all
24 the commissioners, and they sign it, and we put it in the book
25 instead of having a meeting.

26 O. Now, how many times a year would you actually
27 meet together, or does it happen at all?

28 A. Well, it has not happened, I would have to
29 check that, the last regular meeting, it has not happened for
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 349

2 or 3 years, but we have dealt with the business in the way that I explained.

Q. Now, when you sent a letter around to have it sign by the members, has it ever happened that someone sent it back to you and said he didn't agree or he wanted changes?

A. No, because I consulted them, I talked to them all before I prepared the letter, and in every instance, they all agreed it should be done and signed the letter, if I would send it.

Q. Now, when you say you talked with them, was that done over the phone?

A. It would be done over the phone.

Q. Does it happen that one or two members meets with you to discuss business?

A. Oh well yes, that happens; the chairmen of the pilotage commission have come down here, and that has happened, butthere may be no minutes of that, of course, because there wasn't a quorum anyway.

Anything that was decided that the commission should know about, a letter was sent, and they all agreed.

Q. Now, do you have an annual meeting, or do you annually send a letter to your commissioners reporting on the state of the local commission on pilotage?

A. Yes, every year, a statement is prepared and sent to all the commissioners.



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 350

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4 Q. And what information does that statement
5 contain?

6 A. Well, it contains a statement of the receipts
7 and expenditures, and the ships that come to Dalhousie, and
8 the ships that come to Campbellton, and a list of the commission.
9 That's all.

10 Q. Does it contain any comments on the behavior
11 of the pilots, the way they do their work?

12 A. No, there are no comments of that kind.

13 Q. Does it contain a statement of the accidents
14 or mishaps that may have happened in the district during the
15 year?

16 A. No, there have been no accidents, anyway,
17 in the last several years, and when accidents did happen in
18 the years gone by, the pilots always reported, I asked them to
19 report, and they sent a report to me, and a copy of that report
20 was sent to the members of the pilotage commission.

21 Q. Would that statement be approved by the
22 members of the commission, in anyway?

23 A. There was no meeting held to approve it, no,
24 but a copy was sent to each of them.

25 Q. It wasn't approved. When you sent a copy,
26 was that just for information purposes, or was it requested
27 that they approved?

28 A. Just for information purposes.
29
30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 351

Q. Now, did you send a copy of that report to the pilots themselves?

A. No, that report does not go to the pilots.

Q. You mentioned that these reports contain financial statements. Is that financial statement gone over by an accountant?

A. No, it has never been audited.

Q. It has never been audited since 1914?

A. No Sir.

Q. Now, you're obliged by law to keep the accounts of the local commission, it doesn't say: Account books, it just says: Accounts?

A. Accounts, yes.

Q. How do you proceed to keep these accounts?

A. All the collections are deposited in the bank, I don't keep any books, all the collections are deposited in the bank.

Q. Yes?

A. And all payments are made by cheque, and all payments are supported by documents, and the papers are put together with the copy of the statement, and all documents are put together.

Q. Would you have last month's documents, Sir?

A. This is last month's.



A.F. CARR,
Inquiry,
EX. - 352

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4 Q. Now Sir, I have the monthly statistics for
5 April 1963. Would you look at it and tell me, on that first
6 page of the bundle, what information is contained?

7 A. Well, it contains a list of the ships, the
8 vessels that arrived during the month of April.

9 Q. Does it contain a mention whether they are
10 British or foreign?

11 A. Yes, there is a symbol to show whether they
12 are British or foreign.

13 Q. And does it show whether they have gone to
14 Dalhousie or Campbellton?

15 A. It shows the Dalhousie and Campbellton
16 vessels separately.

17 Q. And is your commission to which you are
18 entitled under the by-law deducted monthly or yearly?

19 A. The ~~commission~~ commission is deducted monthly.

20 Q. I note from your statement, you show this
21 percentage separately for Dalhousie and Campbellton. Would
22 you explain that, please?

23 A. Yes, well the commission is 3% for the
24 secretary, and I am the secretary, and for Dalhousie which is
25 17 or 18 miles from Campbellton, I can't come down here every
26 time a boat comes in, so Mr. Grimmer makes the collections for
27 the Dalhousie boats.

28 Q. Who is Mr. Grimmer?
29
30



A.F. CARR,
Inquiry,
EX. - 353

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4 A. Mr. Grimmer is retired from the customs
5 department of the Government, and he lives here, a retired man,
6 and I give him 2/3 of the 3%.

7 Q. In other words, you pay him personally for
8 his services?

9 A. I pay him personally.

10 Q. It doesn't come out of the pilotage fund
11 over and above your 3%?

12 A. Oh no, I give him 2/3 of the 3% I collect.

13 Q. You have also the expenses for the month;
14 would you explain these expenses?

15 A. The expenses.....I will explain item by item?

16 Q. Yes, please?

17 A. There is a boating company incorporated in
18 Dalhousie, and instead of the pilotage district operating a
19 pilot boat, they have made a contract with this boating company
20 to look after putting the pilot aboard ship and taking him off.

21 Q. Is that a recent agreement?

22 A. That is a recent agreement.

23 Q. Do you have the agreement with you?

24 A. Yes, I have the agreement in the book, here.

25 Q. Perhaps we can come back to the agreement
26 later, now that we know you have one?

27 A. And the charges for these services is \$ 15.00
28 a trip, \$ 15.00 putting the pilot out to the steamer coming in,
29
30



A.F. CARR,
Inquiry,
EX. - 354

and \$ 15.00 for taking him off.

Q. Is that the charge stipulated in your by-law?

A. That is the charge stipulated in the by-law, yes, and in keeping with the agreement with the boating company, we remit all that money collected from the ships, which is \$ 30.00, we remit that to them, we pay that to the boating company for doing the service.

Q. What is the name of the boating company?

A. The Restigouche Boating Company Limited.

Q. Your statement shows that you paid to the New-Brunswick International Paper Company?

A. Yes, in the Wintertime, for a few months in the Wintertime, the boating company boat is put up for the Winter, and in that period, arrangements are made to have the use of the New-Brunswick International Paper Company boats, and instead of paying the money to the boating company, we pay it to the New-Brunswick International Paper Company.

Q. Do you have a written agreement with the New-Brunswick International Paper Company?

A. No, but we have an arrangement with the woodlands manager every year to do it the way we do it.

Q. Is that an agreement contained in a document or written in whatever form?

A. No, that is not contained in any document, in the report, it is just an arrangement made. We get billed



A.F. CARR,
Inquiry,
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from New-Brunswick International Paper Company to pay these bills, and it is all agreed with the pilots.

Q. And what would be the next item?

A. The next items are the pilots' travelling expenses for taxi fare and meals and telephones.

Q. Would you have an example of pilots' expenses in the month of April?

A. The pilots' expenses in the month of April were \$ 50.40 for the two pilots. It contains.....no, one of the pilots.

Q. Don't mention any names, please?

A. One of the pilots. Meals \$ 8.00 and telephone for three months, they had not a bill come in for the two previous months, three months, \$ 16.00

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Mr. Jacques, I wonder if I could ask the witness a question: Was the vacancy caused in the pilotage by Mr. Mott's death filled? You just have two pilots, now?

A. Two pilots.

Q. You had three, before?

A. We had three before, yes, but we have two and an assistant.

Q. You have an assistant besides the two regular pilots?

A. Yes.



A.F. CARR,
Inquiry,
EX. - 356

MR. MAURICE JACQUES,

Counsel for the Commission:

C. Right now, this \$ 16.00 for three months, what does that represent?

A. Well, that's phone calls.

Q. Is it supported by any vouchers? Would that be long-distance telephone calls?

A. No, well, there would be long-distance telephone calls, yes.

You see, the pilots have telephones in their houses, of course, and that would be long-distance calls when boats are coming in or going out, there are telephone calls made, of course.

Q. You have no break-down of this figure?

A. I have no break-down, not item by item, but it runs pretty regular; you could tell if there is anything wrong.

Q. Now, what is the next item in your expenses column?

A. It is just \$ 1.00 for bank charges.

C. And what does your statement show?

A. Well then, that is put down to show the net revenue for the month, that is, the income less the expenditures; it shows the net revenue for the month, to be distributed to the pilots, and this is divided between the pilots.



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 357

1
2
3
4 C. And how is it divided? Equally or ...?

5 A. It is divided equally.

6 O. Regardless of the number of trips the pilot
7 may have made?

8 A. That's correct.

9 O. Do you make any deductions of any kind?

10 A. To that amount is added the expenses that
11 we have referred to a few moments ago; it is added to that,
12 and then we deduct and remit to the income tax department an
13 estimated amount against their income. And the balance is
14 paid to the pilots.

15 Q. I see. Now, do you do that for every month?

16 A. Every month.

17 O. Would you have a complete series of these
18 documents for 1962?

19 A. A complete.....compiled together, you mean?
20 Yes.

21 Q. Don't bother taking them out now. I see,
22 during the month of April, \$ 1,488.42 was divided among the
23 pilots?

24 A. Yes.

25 O. Would that amount be approximately the same
26 every month, or would it vary?

27 A. Oh, it varies.

28 O. What would be the maximum and the minimum,
29 last year?

30 A. Well, I could tell you that by looking at the



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
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yearly statement.

Q. Oh yes, you may if you wish?

A. For 1962.....Let me see, now.....No, I can't tell that.

C. You would have to look up every monthly statement?

A. Yes.

Q. Now, your monthly bundle of documents, would you briefly explain to the Commission what documents it contain

A. Well first, there is the statement.

C. Which you have just explained?

A. Which I have just explained. Then, attached to that is a reconciliation of the bank account.

Q. And this is done by whom?

A. This is done by me; I reconcile the bank account, I reconcile my statement with the bank account which is attached.

That's just in case something happens to me.

Then, there is a letter showing - a letter from Mr. Grimmer in Dalhousie representing the remittances he sent to me during the month.

C. Yes?

A. That as well as the pilots' report and the bill.

C. For every ship?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 359

1
2
3 A. For every ship.

4 O. This pilot report, would you state what
5 information it contains?

6 A. Well, that's the report that is made out and
7 signed by the captain when the ship arrives, and it gives the
8 nationality and the net registered tonnage and the draft
9 inwards, and signed by the pilot and the master of the ship.

10 Q. And the draft outwards also?

11 A. Yes, that is put on when the ship goes out.

12 Q. It contains the name of the vessel, also?

13 A. Yes.

14 Q. And this is signed by the master of the ship
15 and by the pilot?

16 A. And by the pilot.

17 Q. And also by the agents?

18 A. It is signed by the agent, yes, not in all
19 cases; he is not available at times.

20 Q. And it gives the charges for the pilotage
21 that was performed?

22 A. That's right.

23 Q. And apart from that, what do you have?

24 A. A copy of the bill that was given to the
25 agent of the ship.

26 O. And who prepares this bill?
27
28
29
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 360

1
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4 A. Well, in Dalhousie, Mr. Grimmer prepares it,
5 and in Campbellton, I prepare it.

6 O. And for every month, you have a duplicate
7 of a pilotage card and the bill which is sent to the ship?

8 A. Yes, every month.

9 Q. For every month. You have that for every
10 ship?

11 A. For every ship, everything on the statement
12 is supported by documents attached.

13 O. I see that the net tonnage is mentioned on
14 the pilotage card; did you ever check the net tonnage,
15 yourself, to find out if it is exact or not?

16 A. No.

17 O. You accept what the pilot gives you as being
18 the net tonnage of the ship?

19 A. Yes well.....yes, you see, when I was employed
20 when I was beginning in office, I used to always check those
21 before the ship came in, but I have nothing to go by now. I
22 used to check it by the maritime register.

23 Q. Now, would you continue and explain the
24 remaining documents in this bundle?

25 A. Well, every month, after the remittance goes
26 to the income tax department, a receipt comes back showing the
27 total amount deducted up-to-date in the year against the pilots
28 income tax.
29
30



ANGUS. STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.F. CARR,
Inquiry,
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Then, there is a receipt from the New-Brunswick International Paper Company here for service of their ship, and also the bill of the New-Brunswick International Paper Company.

Q. Do you check these bills for accuracy?

A. Oh yes, I check it with the pilot; that's the expenses account which I have talked about on the monthly statement.

Q. And you have that for every month?

A. For every month.

Q. So far, every month, your accounts are complete?

A. Are complete.

Q. Both revenue and expenditure?

A. Yes.

Q. For every month?

A. For every month.

Q. Now Sir, as regards the income tax charges you pay on behalf of the pilots, have you got a file on that?

A. Of yes, I have. You mean the T-4?

Q. Yes, please?

A. Yes, I have a file.

Q. How long have you been paying income tax on behalf of the pilots, Sir?

A. Well, I would have to look that up, because at one point it was doubtful whether we should collect for



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A.F. CARR,
Inquiry,
EX. - 362

1
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4 them or not, and we recorresponded with the department, and
5 there was no doubt about it.

6 Q. Which department?

7 A. Well, it wound up in Ottawa; it was years
8 ago, they couldn't tell me.

9 Q. Be careful because we have a former deputy
10 of marine, and he may have been involved, here?

11 A. It is pretty hard for me to do that from
12 memory, but I would think there was a time...

13 Q. Was it before the last war?

14 A. No, it would be since.

15 Q. Since the last war?

16 A. I think.

17 Q. But anyway, it is deducted?

18 A. It is deducted.

19 Q. Have you ever received any comments as
20 regards these deductions, either from the income tax people
21 or from the pilots themselves? Has anybody ever objected to
22 that?

23 A. No. Since then, there has been no
24 correspondence in connection with it for years.

25 It operates perfectly; there is never any
26 questions, except when we have no ship in January, for instance
27 I would have no deduction to make because there was no revenu,
28 and they would write a letter to know why we stopped sending
29 remittances.
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 363

Q. As income tax people would do?

A. Yes.

Q. Would your pilots file with you a TD-1 form which is a standard form to state the basic exemptions?

A. Yes, I have those prepared.

Q. And do you prepare a T form slip for your pilots?

A. I do.

Q. And what information is shown on your T-4 slip as employer of the pilots?

A. Restigouche River Pilotage Commission.

Q. Apart from the pilots, do you prepare T-4 slips for anyone else?

A. Besides the pilots, I file one for myself and for Mr. Grimmer.

Q. Now, would your pilots come under Unemployment Insurance?

A. No.

Q. They don't?

A. No. That's another thing we took up years ago about that, and.....no.

Q. Would they benefit from the Workmen's Compensation?

A. No, they don't contribute to that.

Q. Was that ever discussed with your by pilots?



A.F. CARR,
Inquiry,
EX. - 364

1
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4 A. Well.....it certainly was discussed, but they
5 don't come under the

6 Q. Have you approached the authorities on that
7 subject?

8 A. Workmen's Compensation?

9 O. Yes?

10 A. I have not, no.

11 Q. Now, do your pilots benefit from any pension
12 fund or welfare plan of any kind?

13 A. No, they have no pension fund.

14 O. No welfare plan of any kind?

15 A. No.

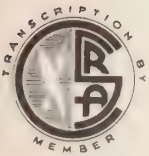
16 Q. None at all. To the best of your knowledge,
17 have they got private pension systems?

18 A. No. Some years ago, that matter was brought
19 up, and I was told to get information about pension funds in
20 other places. So, I did that, but when we got the information,
21 we found that on account of the pilots' ages it was - they were
22 too far along in years to consider - the rates would be too
23 high.

24 But, at the present time, we have young
25 pilots, it should be considered. That was one thing I wanted
26 to ask you people about.

27 Q. Wonderful. Now, you also prepare annual
28 returns for the Department of Transport, do you not?

29 A. Yes, I do.
30



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A.F. CARR,
Inquiry,
EX. - 365

O. I show you four documents which purport to be your annual return for the years 1962, 1961 and 1960?

A. These are copies of the reports, yes.

O. Would you file those in a bundle as exhibit no. 299.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Those are traffic reports, mainly?

MR. MAURICE JACQUES,
Counsel for the Commission

No Sir, they are financial reports.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

I thought this was something additional.

MR. MAURICE JACQUES,
Counsel for the Commission:

No Sir, these are reports you already have.

Q. Now, Sir, are you able to tell the Commission whether the traffic here in Restigouche has been on the increase in the past number of years?

A. Yes, the traffic has been increased, specially in Dalhousie.



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A.F. CARR,
Inquiry,
EX. - 366

Q. Do you know by how much, approximately?

A. I haven't worked that out, but.....

Q. To the best of your knowledge, is a further increase in traffic foreseen?

A. A future increase in traffic is anticipated.

Q. And what would be the cause of that increase?

A. The cause of the increase in Dalhousie would be the expectation that more shipments will be made from this wharf.

Q. From this wharf?

A. Yes.

Q. And what would be the commodities shipped?

A. Minerals from Bathurst, chiefly, and other commodities; they have been shipping potassium and things, anyway, that is what we have been looking forward; the increase would be caused by the ships. That is only hearsay

MR. ROBERT KNOWLTON SMITH,

Commissioner:

Q. Is the port open all year-round?

A. All year-round, yes.

Q. No serious ice interference?

A. Ice-breakers were here; they had to keep it open.

MR. MAURICE JACQUES,

Counsel for the Commission:



A.F. CARR,
Inquiry,
EX. - 367

Q. Do you have much traffic during the Winter? You mentioned a moment ago that last year, for the month of January, you had no ship. Would that be a regular occurrence for the month of January?

A. No, it is only in recent years that they have attempted to keep the port of Dalhousie open, and when they started it - I said: Last year, I think it was previous to last year, the month of January, we had no boat, but last Winter, we had boats every month.

Q. The Winter of 1962-1963, did you have traffic in Restigouche River?

A. 1962-1963, yes.

Q. And last January, how many ships did you have?

A. Well, I can't tell from what I have here.

Q. To the best of your knowledge, would you be able to state a figure?

A. Don Milley, the chief-pilot might.....but I can't guess it without looking at the reports.

THE PRESIDENT:

Q. You just said that minerals from Bathurst would be a factor for the increase of the traffic. I understand Bathurst has a harbour too. Why does it come here? Does it come by rail?



A.F. CARR,
Inquiry,
EX. - 368

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2
3 A. Of course, I am not in a position.....

4 Q. But it is coming here? It is charged on
5 ships here?

6 A. I understand that they are preparing.....
7 They have already shipped ore from down there.

8 Q. From Bathurst?

9 A. Yes.

10 Q. But you said: here, the traffic is going to
11 be increased, here in Dalhousie, on account of that mineral?

12 A. That's what I understood, but I guess I am
13 all wrong.

14 Q. Does that mean the mineral is to be transported
15 by rail?

16 A. By rail to Campbellton.

17 Q. I suppose, on account of the draft of the
18 ships?

19 A. Well, that might be the reason.

20
21 MR. MAURICE JACQUES,

22 Counsel for the Commission:

23 Q. Now, Sir, how much vacation would your pilots
24 take every year?

25 A. Well, they take their vacation, they arrange
26 it among themselves, and they break up their vacation, mostly,
27 they don't go away for a long vacation because they are only
28 two, anyway, and they always know what ships are coming in here,
29 and they are always careful to see that the port is covered.
30



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A.F. CARR,
Inquiry,
EX. - 369

Q. How many days off would they take every year?

A. As far as I am concerned, there is no set amount. The commission has never taken - there is nothing in the by-laws and nothing at any meeting of the commission where arrangements were made that they could only take so much time during the year.

O. Would it be fair to say that they take as many days off as they can, having regard to traffic?

A.I think it is fair to say that, yes.

Still, there is no authority - I have got no authority to give them orders otherwise, and the commission has never laid out the number of holidays they should have.

So, it is just an arrangement made among themselves so that the service - so that the port would be served by pilots at all times.

O. As far as the commission is concerned, so long as there is a pilot for the traffic, you are happy?

A. Yes.

Q. Is that it?

A. That's.....What was your question?

O. As far as the commission is concerned, so long as there is a pilot to handle the ships that come in or go out, you are satisfied?

A. That's it.



A.F. CARR,
Inquiry,
EX. - 370

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4 Q. Have you ever thought of making provisions
5 for sick-leave for these pilots?

6 A. Well, I think there is something in the by-
7 laws about that.

8 Q. Have you ever had a request for sick-leave?

9 A.

10 Q. You may refer to your by-laws?

11 A. Yes, years ago, we did, and a fund was made
12 for a sick-leave, for a pilot for a while, where an agreement
13 with the pilots, - he was given a small pension.

14 Q. He was given a small pension?

15 A. Just voluntarily, from all pilots, you
16 understand, the revenue per month was divided up, and a certain
17 small amount was given to him.

18 Q. To the retired pilot?

19 A. Yes.

20 Q. How old was he then?

21 A. He had broken health, he wasn't very old,
22 I don't know how old he was.

23 Q. How long was this pension paid?

24 A. Not long.

25 Q. How many years?

26 A. I couldn't say; it is some years, and I can't
27 remember that.

28 Q. Who were the pilots then? Would Mr. Milley
29 be a pilot?
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 371

1
2
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4 A. No, not at that time.

5 O. So, it was a contribution from each pilot to
6 a man who had been obliged to retire because of ill health?

7 A. Yes.

8 Q. Is that it?

9 A. Yes.

10 Q. Strictly voluntary?

11 A. Just a voluntary thing.

12 O. Now, Sir...

13 A. The commission didn't make that arrangement;
14 that was made by the pilots voluntarily, to help the man.

15 Q. To help one of their colleagues?

16 A. So, they just told me to take part of their
17 income and give it to this other man.

18 Q. Now, as regards discipline, would you care
19 to make any comments? Have you any difficulty with discipline?

20 A. For years, we have had no difficulty with
21 discipline. That is some years. But years ago, we had
22 trouble with discipline.

23 Q. What kind of trouble?

24 A. Well, way back, there was drinking.

25 Q. What happened?

26 A. We suspended pilots.

27 Q. Was he suspended for any given period of time?

28 A. Yes.
29
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 372

1
2
3
4 Q. For how long?

5 A. It seems to me he was suspended more than once
6 but my memory.....

7 Q. Was he eventually fired?

8 A. Yes.

9 Q. For the same reason?

10 A. That's right.

11 Q. And over the past few years, you have had no
12 problem as regards discipline?

13 A. Not in the last 30 years, no.

14 Q. Now, as regards the tour de rôle of the pilots
15 have you anything to do with that?

16 A.

17 Q. The way they work, how many shifts they take,
18 who goes aboard first and who waits for the next one?

19 A. No, that's all the pilots - there are only
20 two pilots operating at the present time, and the two pilots
21 arrange themselves on that; the commission has nothing to do
22 with it.

23 Q. According to your by-law, the pilot must,
24 section 15-2, has the direction of the pilots and the pilot-
25 boat, and he is responsible for discipline and carrying out
26 the instructions of the authority, and the by-law further
27 states that he shall, at his own expense, maintain an office
28 with a telephone at a location convenient to the pilot station.
29 Is that done?
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. 373

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4 A. They haven't got a pilot-house, no, but they
5 have a pilot-boat. Now, they had a telephone connection, that
6 they could use from the boat, and I think they still have it,
7 so, they are in the boat a lot of the time.....

8 Q. But why charge the maintenance at his own
9 expense? Could you explain that to the Commission?

10 A. At his own expense.....

11 Q. Your charter says that he shall at his own
12 expense maintain an office with a telephone at a location
13 convenient to the pilot station?

14 A. That is being carried out, I would say; he
15 is maintaining a telephone in the pilot-boat, which is the
16 pilot-house, I suppose. Is that correct?

17 Q. I am asking you to explain to us how this
18 has been interpreted, and how it works in practice?

19 A. Well, I would say he was carrying out that
20 section.

21 Q. He maintains a telephone on the pilot-boat?

22 A. He maintains it because the expenses are
23 charged up against the earnings.

24 Q. He doesn't maintain an office?

25 A. No, well unless you call the pilot-boat his
26 office.

27 Q. But you have an office?

28 A.

29

30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 374

1
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3
4 Q. You maintain an office?

5 A. No, I have no office, I am home.

6 Q. You do that at home?

7 A. Yes.

8 Q. As regards the pilot boat, the pilots here,
9 at some time, were the owners of the pilot boat. Is that correct?

10 A. Yes, that is correct.

11 Q. What happened to the pilot boat?

12 A. No, that is not correct, because in the case
13 of the pilot boat, this is the way it used to be carried out...

14 Q. Yes, explain that, please?

15 A. Well, the pilots were compelled to furnish
16 or to supply a boat for a pilot boat; the pilots had to do that.

17 Q. That's how long ago, approximately?

18 A. 10 years, I would say, as a guess, roughly,
19 and they were supposed.....yes, that's 10 years.

20 Q. You may refer to any of your documents, if
21 you wish.

22 A. Well, the running, the expenses of the pilot
23 boat were charged against the pilots' earnings, and although the
24 pilots had to supply the boat, the only ship was vested in the
25 commission, you understand, that's the way it was worked.

26 It came to the point they lost the pilot
27 boat, and we kept the pilot boat insurance, of course...

28 Q. You had an insurance policy in the name of
29 the commission, on the pilot boat?

30



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A.F. CARR,
Inquiry,
EX. - 375

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A. Yes.

Q. For what amount?

A. There was \$ 1,000.00 insurance on it, and when the boat was wrecked, that was collected, and the pilotage commission kept it for a while.

Q. What was the value of the boat at the time she was lost?

A. Approximately \$ 1,000.00

Q. \$ 1,000.00?

A. Yes.

Q. And who paid the premiums of the insurance?

A. The premiums were paid by the pilots, because it was taken out of their revenue, and I remitted it to pay the bills.

Q. At that time, was there a boat charge, under your by-laws?

A. There was a boat charge, I think it was \$ 6.00.

Q. The operating expenses and the insurance premiums for the pilot boat, that was taken out of the pilotage revenue?

A. Of the pilotage revenue, yes.

Q. And the pilots had as an additional revenue this \$ 6.00 boat charge which existed at that time?

A. Yes.



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. 376

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4 Q. Was the \$ 6.00 boat charge sufficient to pay
5 the cost of the up-keep of the pilot boat?

6 A. No, it was not sufficient.

7 Q. So, any amount required to pay for those
8 expenses was taken out of the earnings?

9 A. It was taken out of the earnings.

10 Q. Of the pilotage dues?

11 A. That's right.

12 Q. Who had built or bought that boat?

13 A. The pilots looked after that themselves,
14 they did that. The pilotage commission helped to finance that
15 boat, but the money was paid back to the commission.

16 Q. Out of the revenues?

17 A. Yes. So, the pilots paid for it, that's the
18 way to say it, the pilots paid for the boat, and they paid for the
19 up-keep of the boat.

20 Q. And the boat was lost?

21 A. The insurance was collected, it belonged to
22 the commission, and we held it for a few years.

23 Now, you want me to tell you the story?

24 Q. Yes, please.

25 A. Then, this boating company, they thought they
26 would handle it a different way, and the boating company was
27 formed.

28

29

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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 377

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Q. What is the name of the boating company?

A. Restigouche Boating Company Limited.

Q. My Lord, here I have the Royal Gazette of New Brunswick, volume 115, July 31st, 1957, page 251, which contains a public notice of letters patent issued to Restigouche Boating Company Limited, and the incorporators are: D.H. Mealey, pilot; W.S. Mott, pilot, and J.S. Fearon, apprentice pilot, all of the town of Dalhousie in the county of Restigouche and province of New Brunswick. The capital stock shall be \$ 20,000.00 divided into 2,000 common shares of \$ 10.00 each. The head office is within the province of New Brunswick, at the town of Dalhousie, and the letters patent are dated the 23rd. of July 1957. Continue, please?

A. Where was I at? About the \$ 1,000.00?

Q. The company was formed, or perhaps it wasn't quite formed at that time?

A. I beg your pardon?

Q. The company was just about to be formed?

A. Well, they formed, an agreement was made between the boating company and the pilotage commission in which the boating company undertook to do all the servicing of a pilot boat on the river.

Q. You have a written agreement?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 378

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4 A. We have a written agreement.

5 Q. Would you have this agreement with you?

6 A. I think so; I think it is here.

7 Q. We might give a number to this Royal Gazette
8 issue, and we could get it later on; number 300, the Royal
9 Gazette of New Brunswick of July 31st, 1957.

10 A. We have an agreement, but I can't put my
11 hand on it.....No, I can't find it.

12 Q. Perhaps pilot Mealey would have a copy of
13 this agreement, would he not?

14 A. Yes, he would have it, perhaps he would have
15 it with him.

16 Q. Very well, Sir, Mr. Mealey will get a copy.
17 All right. Now, what happened to this boating company and the
18 \$ 1,000.00 which you had got from the insurance company?

19 A. Well, the \$ 1,000.00 was loaned to the boatin:
20 company to help finance the purchase of the boat, and a note was
21 given to the pilotage commission for payment in a year, and it
22 was renewed once or twice.

23 Q. Did it bear interest?

24 A. No interest. And it came to the point that
25 the commission considered that the...the note was cancelled...

26 Q. Why?

27 A. ...By the commission. Well, because the
28 pilots, in the first place, had bought the boat and kept it up,
29
30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 379

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4 but the commission.....the ownership was vested in the commission,
5 and the commission collected the insurance, so the commission felt
6 that the pilots - it was the pilots' money, anyway - that the
7 insurance money really belonged to the pilots, so they cancelled
8 the note.

9 Q. That's why you cancelled the note?

10 A. That's right.

11 Q. Now, this Restigouche Boating Company Ltd.,
12 is it in fact operating a pilot boat now?

13 A. Yes.

14 Q. How long has it been in fact operating a
15 pilot boat?

16 A. Well, for some years.

17 Again, I have to have the documents to tell
18 you exactly how long, but for the last few years.

19 Q. For the last few years?

20 A. Yes.

21 MR. R. KNOWLTON SMITH,

22 Commissioner:

23 Q. Mr. Jacques, could I ask this witness a
24 question: If my memory serves me right, the premium for the
25 insurance was paid by the pilots?

26
27 MR. MAURICE JACQUES,

28 Counsel for the Commission:
29
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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 380

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4 It was paid by the commission, but deducted
5 from the pilotage revenue.

6 MR. R. KNOWLTON SMITH,
7 Commissioner:

8 So, the amount of the insurance should go
9 to the pilots, then, would it not?

10
11 MR. MAURICE JACQUES,
12 Counsel for the Commission:

13 I wouldn't venture to answer that, Sir.

14 Q. Now, you have been in office quite long;
15 did you ever have anything to do with the choice of apprentices
16 or the choice of pilots?

17 A. I have nothing to do with the choice of
18 apprentices or pilots, no.

19 Q. Your by-law provides for a choice of
20 apprentices and pilots, examinations and things like that?

21 A. Yes.

22 Q. In practice, what has happened when you wanted
23 an apprentice or a pilot?

24 A. Well, applications were received and the
25 commission appointed competent people to examine applicants.

26 Q. Did the commission advertise the job in the
27 newspapers or anywhere?

28

29

30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. 381

1
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3 A. Not that I know of, no.

4
5 MR. R. KNOWLTON SMITH,

6 Commissioner:

7 Q. Have you got enough pilots now to
8 satisfactorily perform the service that is required here in
9 this district?

10 A. Of course, I am not the chairman, but it is
11 considered by the chairman of the commission that these men at
12 the present time are handling the work satisfactorily.

13
14 MR. MAURICE JACQUES,

15 Counsel for the Commission:

16 Q. Now, how did people find out there was a
17 vacancy in the pilotage?

18 A. How they found out?

19 Q. Yes, you said applications were received?

20 A. We didn't advertise it, they just knew. How
21 did they find out about it, I don't know. They just know, if a
22 pilot dies, the people in the locality would know.

23 Q. And you appointed a committee to examine
24 the applicant?

25 A. We appointed a committee, yes.

26 Q. And what were the qualifications of the
27 applicant?

28 A. He was a man thathis qualifications,
29 he was a man that had experience.

30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 382

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Q. What kind of experience?

A. Experience in shipping.

Q. Was he a master mariner?

A. I would have to look back and see who they were.....in one case, it was the pilot master. That was in one case, anyway.

Q. And he examined the applicant?

A. Yes.

Q. Did he report to the commission afterwards?

A. Oh yes, he reported and recommended.

Q. And did the commission make any further inquiries into the man's character and habits, etc.?

A. There was no meeting in connection with it, but they were all advised, and they signed and agreed to it by putting their signature.

Q. Did you then issue a licence to the applicant?

A. Yes, because that would be part of how we proceed: That a licence be issued.

Q. Would it be a probationary licence?

A. Yes, they were restricted; every new pilot, as he came on, would be restricted for a period.

Q. And what restrictions were they?

A. They weren't great; earnings were different for different man.



A.F. CARR,
Inquiry,
EX. - 383

MR. R. KNOWLTON SMITH,

Commissioner:

Q. Were they on probation or apprentices?

A. Well, they were always men that had experience, they were apprentices or experienced men, and they were.....some of them were given only part - as much as the other pilots were given, and some of them were only allowed to you know, you are asking me questions, and it is pretty hard for me to remember all those conditions.

If he was a capable man and knew the river as well as the pilot does, like if he was a tug-boat captain, they would put him on and give him the full.....

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Who would make that restriction? You, the commission, or the pilot master?

A. The chairmen, the pilotage commission, the chairmen of the piloting commission and the pilots would discuss it.

Q. Now, would you restrict him on the size of the ship which he could pilot while he was on probation?

A. No, we wouldn't, but the pilot master would use his judgment in allotting charters to that man.

Q. Would the probation pilot receive the same remuneration as the pilots?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 384

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4 A. In some cases, no.

5 Q. Why was a difference made? Do you recall?

6 A. Because he wouldn't be given big ships, and
7 he wasn't as capable as the others. Now, I am not the pilot master

8 Q. Now, you have apprentices here, also, have
9 you not?

10 A. We have one apprentice.

11 Q. Does he get paid?

12 A. He gets paid nothing by the commission.

13 Q. Do the pilots pay him?

14 A. I don't know.

15 Q. And do you have difficulties in getting
16 apprentices?

17 A.Difficulties.....There were apprentices
18 that were on for a while, and they got sick and quit, or they got
19 fired, we have had experience like that.

20 Q. Have you ever been in a position where you
21 needed pilots or apprentices, and you couldn't get them?

22 A.

23 Q. You needed an extra-man, for instance?

24 A. And we couldn't get them?

25 Q. That's right.

26 A. I don't think so.

27 Q. The two pilots which you have on your staff
28 today, have they served an apprenticeship?
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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 385

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A.

Yes.

Q.

Were ~~they~~ probationary pilots also?

A.

Were they probationary pilots? Well, they were probationary pilots to this extent that when they were issued a licence, they were given a licence, but the licence was dated for two years, I suppose.

You know, I am not certain of that. You are asking me questions I would have to.... I think the by-law states that a licence should be issued to him for a two-year-period so it would be done in keeping with the by-law.

Q.

Now, Sir, when ships want a pilot, with whom do they get in touch? With you or with the master pilot?

A.

Well, mostly with the pilots directly.

Q.

With the pilots directly?

A.

Yes.

Q.

The ship would be at sea, she would get in touch ...?

A.

You know, the pilots would get this information in cases from the agents, and in other cases direct from the ship.

Q.

But you have nothing to do with that?

A.

No, not me; mainly the pilot master.

Q.

Have you ever had difficulties in collecting dues?

A.

No, I have had no difficulty collecting dues.

Q.

To the best of your knowledge, has it happened here in Restigouche that a ship would not take a pilot and yet, would pay pilotage dues?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 386

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4 A. Well, years ago, that has happened.....let
5 me see.....yes, if it did, it was very rarely, but that has
6 happened way back years ago, but there was no trouble.

7 Q. Are you aware that under the law and your
8 by-laws, there are only certain classes of ships which are
9 exempted from the payment of pilotage dues?

10 A. Oh yes.

11 Q. Now, in your capacity as secretary to the
12 commission, do you at any time check whether any ship has entered
13 the harbour without using a pilot and without paying for the
14 pilot?

15 A. Do I ever check that?

16 Q. Yes.

17 A. You mean, do I go to the customs house and
18 check to see?

19 Q. Yes.

20 A. No, I never do, because I know every ship
21 that comes in, anyway.

22 Q. You know all the ships?

23 A. Yes.

24 Q. To the best of your knowledge, do they all
25 take pilots?

26 A. All the ships take pilots, yes; even some
27 of the Navy ships that come in here prefer to have a pilot and
28 they pay.

29

30



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 387

Q. And they pay?

THE PRESIDENT:

Q. When you say "here" do you mean in Dalhousie or Campbellton?

A. In both places.

Q. You mentioned a few minutes ago that here, some years ago, that some ships didn't take pilots. Was that meaning Dalhousie or Campbellton?

A. Well, Campbellton would be ...

Q. They would go to Campbellton without taking any pilot?

A. Yes, but they would be willing to pay the compulsory pilotage dues.

Q. Small-draft ships, I suppose?

A. Yes, and steamers coming in, but that wasn't frequent; that was an infrequent thing.

MR. ROBERT KNOWLTON SMITH,

Commissioner:

Q. Your Lordship, I would like to ask this witness a question about the tariff. It is a little bit confusing to me. It provides for a levy of \$ 2.60 per foot of draft in Dalhousie, Carleton, Oak Bay, and then, in another section of the schedule, it seems to impose a surcharge of \$ 1.00 a ton in Oak Bay. Would you explain that a bit?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 388

A. Oak Bay is a place that.....there is no mill there, anything. I don't know whether I have that here. I would have to look.....that's the tariff at the back.

Q. Yes, it mentions, just a little bit further, perhaps I better read it: "Ships bound for Oak Bay or any port or loading station between Oak Bay and Dalhousie, and calling at Dalhousie or any of the outer or bay ports, \$ 2.60 per foot of draft, and, if then proceeding to Campbellton \$ 1.00 per foot of draft?

A. Well, that is, if they have to make a stop in the port for cargo or something, in a certain place, and they had a shift, - it is never used, anyway, there is never occasion to use that.

Q. Is the \$ 1.00 per foot of draft super-imposed in addition to the \$ 2.60?

A. That's the way it reads.

THE PRESIDENT:

Q. But, it is never charged, so far as you can remember?

A. No.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Now, Sir, out of that \$ 1,000.00 which you received from the insurance company for the loss of the pilot boat, is there any money left in any account, in the name of the pilotage commission?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 389

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A. Yes, there is \$ 200.00, nearly \$ 300.00 in the account that has been running for years, and it accumulates from such things as charging for the pilots' licence, - there is a five-dollar-a-year-licence-fee...

Q. Would that be for the boat licence?

A. No, that would be.....the old by-law read that every year, the pilot had to pay a licence, \$ 5.00 per year.

Q. And this is accepted?

A. And we collect that, yes. It amounts to that, with some interests.

Q. Is it foreseen that this money will be turned over to the Restigouche Boat Company?

A. It is supposed to be used for such things as travelling expenses for the commission, and it has never been used - oh yes, it was used last year.

Q. Would the commissioners receive any reward or any remuneration of any kind for their work as commissioners?

A. They never receive anything.

Q. To the best of your knowledge, were any of the present pilots or the previous pilots ever compelled to pay any money or to give anything to anyone to pilot a ship, or to become a pilot?

A. No, I never heard of anything like that.

Q. You never heard of anything?

A. No.



A.F. CARR,
Inquiry,
EX. - 390

Q. The pilots have never been approached to pay a kick-back for the ship?

A. Pilot money, you mean?

Q. Let us be blunt: There is a ship that comes in, and the captain would say I will not use your services unless you give me \$ 10.00 or \$ 20.00 or \$ 15.00 out of your fee. Has that happened?

A. I never heard of such a thing.

Q. You have never heard of such a thing?

A. No Sir.

~~TEN-MINUTE RECESS~~

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Mr. Carr, just a couple more questions:
Under your by-laws, section 7 page 3, the net revenue of the district is to be distributed equally between the pilot master and the pilots.

I note, from your annual returns that the division which is being done is not equal. Would you explain that, please? I refer you to the annual report ending March 1960?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 391

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4 A. Yes, well in that case, pilot Farrall came
5 on as a new pilot, and it is only a portion of the year.

6 Q. And yet, the division between pilot Mott
7 and pilot Mealey is not equal?

8 A. Well, you ask me a question like that.....
9 that's 1960, I don't know why that was.....it would be the year
10 Mott died.

11 Q. No, Mott died February 1961?

12 A. Now, let me see.....you know, I can't
13 remember off-hand, but it might be it is a long story I will
14 have to tell you.....no, I can't do that either.....

15 Q. We notice the same thing on your statement
16 of December 1960; pilot Mott received \$ 2,129.00, pilot Mealey
17 \$ 6,129.00 and pilot Farrall \$ 5,258.00?

18 A. Well, this would be the year Mott died;
19 this would be the year.

20 Q. No, Mott died, according to your statement,
21 your 1961 statement, Mott died in February 1961?

22 A. This is 1960. It is funny, I can't understand
23 that.....I can't do it without my papers.

24 Q. Perhaps we can hold this question in abeyance
25 and during the examination of pilot Mealey, you could look it up
26 in your documents and give us the answer?

27 A. I will try to.

28 Q. Now, you have been in office for a great
29 many years; some years ago Carleton was included in the Resti-
30 gouche district; is that exact?



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TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 392

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4 A. That's right, Sir.

5 Q. Why was it taken out of the district?

6 A. Well, it was not satisfactory.

7 Q. How?

8 A. Well, it was not satisfactory. The chairmen
9 of the commission should answer that. I can't answer that. I
10 can't explain why.

11 Besides, it is a few years ago, and it was
12 not satisfactory, I know I had an awful lot of trouble trying
13 to collect, it was way down 15 miles the other side of the
14 river from Campbellton, and of course, I had arranged - I had
15 made arrangements with a man there to collect the pilotage, but
16 it was unsatisfactory, getting pilots, making them available to
17 the ship, at the proper time, and everything.

18 I can't answer that question. That would
19 have to be - the chairmen of the commission would have to
20 answer.

21 Q. To the best of your knowledge?

22 A. It didn't work smoothly.

23 Q. It didn't work smoothly, and perhaps it was
24 too far from your home base, as you said?

25 A. Yes.

26 Q. To provide adequate service for both places
27 at the same time?

28 A. Yes.
29
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A.F. CARR,
Inquiry,
EX. - 393

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4 Q. Now, Sir, is there any fact, any event or
5 anything at all relating to pilotage here which has not been
6 brought out in your evidence, which is within your own knowledge?

7 A. Anything that.....that I should volunteer
8 to bring to your attention?

9 Q. Yes, please?

10 A. Well, there is one thing that we should get
11 some information for the benefit of the pilots, and that is about
12 pensions. If there is anything you can give us, I don't know,
13 but the Government must know a way to do that. I don't know
14 if I should go in to volunteering a lot of information?

15 Q. Yes, you should?

16 A. That was a few years ago, the idea was given
17 up because they were too old.

18 Well, we corresponded with the Miramichi
19 pilots, we found out that the way the Miramichi pilots do it,
20 they just simply took the Government annuities, and the secretary
21 of the pilotage commission collected and remitted the monthly
22 payments,

23 But we thought it out, we couldn't consider
24 it because our pilots were too old; we had 6 pilots or 5.

25 Q. Now that your pilots are relatively young...?

26 A. They might want it.

27 Q. Have they ever requested you to?

28 A. No, but I talked to the pilot master the
29 other time, and he said yes, they would like to know about it,
30 anyway, if there is any kind of Government plan for them.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.F. CARR,
Inquiry,
EX. - 394

But, if it is only - if the only thing is to take a Government annuity, they could pay for the premium, the man could pay for his own premium, and we wouldn't have to bother with it at all.

Of course, we could write the Government.

Q. There is a gentleman here, Captain Slocombe is the liaison officer of the Department of Transport, he is the chief of the pilotage division, he might supply you with what information is available, after the hearing?

A. Yes.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above evidence
is a true transcript of my shorthand
notes.

G. OSCAR BOISJOLY,
Court Reporter.



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICK, Esq.

MR. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Dalhousie,
9:00 A.M.

On the twenty-first day of May, the year
nineteen hundred and sixty three:

DONALD HAZEN MEALEY, age 38, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. You are a pilot here?

A. Yes Sir.

Q. Do you have any other occupation apart from
being a pilot?

A. No Sir.

Q. You have not. To the best of your knowledge,
would your colleague have another occupation or means for earning



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 396

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a living?

A. Yes Sir.

Q. He has?

A. Yes Sir.

Q. Now, Sir, you have heard the evidence given by Mr. Carr. Is there anything that you wish to add to that which has been said by Mr. Carr, or comments you wish to make?

A. In one connection only, Sir: That was not the Restigouche Boating Company, at the time of the change-over.

Q. What do you mean: the change-over?

A. From the Government -owned system of pilot boat to a privately-owned pilot boat. The pilots then in existence created or formed what they call the Restigouche Boating Association.

Q. Yes?

A. This ran for a period of 4 years, and it was this association that made a contract with the pilotage commission to supply a pilot vessel.

They ran for 4 years as such, until we got into dire straights with the income tax department that we had not made any income tax returns.

When we got this straightened out, we saw it was to our advantage to incorporate, and we then incorporated, in 1957, and Mr. Carr explained to the effect that the Restigouche Boating Company were the originators of this contract between themselves and the commission. It was the Restigouche Boating



D.H. MEALEY,
Inquiry,
EX. - 397

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4 Association at the time, which became the Restigouche Boating
5 Company.

6 Q. And this Restigouche Boating Company
7 purchased from the Restigouche Boating Association the existing
8 pilot boat?

9 A. We purchased it from ourselves, they Resti-
10 gouche Boating Association and the Restigouche Boating Company
11 is the same people.

12 The pilots formed the Restigouche Boating
13 Company.

14 Q. And the pilot boat was transferred to the
15 company from the association?

16 A. That's right, Sir, we operate our own boat
17 for which we are paid the embarkment and disembarkment fee.

18 THE PRESIDENT:

19 Q. Does it mean that there is only two share-
20 holders: yourself and the other pilot?

21 A. There is another member, the widow lady of
22 Mr. Mott.

23 Q. You have shares, and do you have any
24 control over the transfer of shares?

25 A. Yes Sir: not transferable.

26 Q. Not transferable, and there is some provision
27 in the charter or in the by-laws whereby it has to be offered
28 first to the other shareholders?

29 A. That's right.
30



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 398

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. If it is agreeable to pilot Mealey, we might borrow his minute-book and send it back?

A. Surely.

THE PRESIDENT:

This is a new pattern that we see, and it has its merits.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Your pilot boat is duly licenced by the pilotage authorities?

A. Yes Sir.

Q. Have you obtained the survey certificate from the Department of Transport?

A. In what manner?

Q. Survey certificate, steamship-inspection certificate?

A. We operate under a cruising licence.

Q. Are you licenced to carry passengers?

A. No.

Q. Has there ever been any question in that line, whether you should be licenced to carry passengers?

A. Yes Sir.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 399

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Q. There has been?

A. Yes.

Q. Would you outline that?

A. The local customs officer has warned us that we are not licenced to transport people back and forth, and that we could get into serious trouble if we had an accident, so we eliminated the business of transporting people back and forth.

Q. Now, without giving me any figures of the revenues of the company, are they mainly limited to a boat charge provided for in your by-laws?

A. No Sir.

Q. They are not?

A. No Sir.

Q. You do other work with that boat?

A. One other job.

Q. You do other jobs?

A. One other job.

Q. One other job?

A. Yes Sir.

Q. What kind?

A. We handle lines for ships at the wharf of the International Paper Company.

Q. And that is done by your boat?

A. By our boat, yes.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 400

Q. Do you hire men?

A. No, we operate it ourselves.

Q. The pilots themselves?

A. Yes. When I run this ship, the other pilot is in the boat.

Q. How many employees would you have altogether in the company?

A. None.

Q. But the two of you?

A. That's right, Sir.

Q. Without again giving me any figures, is it a profitable operation?

A. The remuneration from this job pays for the maintenance and operation of the boat.

Q. Do you carry any insurance on your boat?

A. Yes Sir.

Q. What type of insurance?

A. Marine insurance.

Q. To your hull or machinery?

A. Yes Sir.

Q. Do you come under the Workmen's Compensation Act?

A. No Sir. We would if we were to employ sufficient people.

Q. And you do not participate in Unemployment Insurance?



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 401

1

2

A. No Sir.

3

Q. Would this company provide you with any pension or welfare system?

5

A. No Sir.

6

Q. Group insurance?

7

A. No.

8

Q. Medical plan?

9

A. No.

10

Q. In that respect, is there anything provided for the pilots?

12

A. No Sir.

13

Q. None at all?

14

A. No Sir.

15

Q. Now, a very embarrassing question: Have you been requested to pay or give anything to any master of any ship you piloted?

18

A. No Sir.

19

Q. To become a pilot, have you...

20

A. No Sir.

21

Q. To the best of your knowledge, have your colleagues ever been obliged ...

23

A. No Sir, never.

24

Q. Now, Sir, are you able to discern a pattern in shipping between Dalhousie and Campbellton? Is there more traffic going to one place than the other?

27

28

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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 402

- 1
2
3 A. Definitely, much more traffic in Dalhousie
4 than Campbellton.
5 Q. What sort of traffic would go to Campbellton?
6 A. Campbellton, minerals, imports, sulphur, and
7 exports, pulpwood, long lumber. That would be it.
8 Q. And that would represent how many ships a
9 year?
10 A. Roughly 28 ships a year - sorry, I forgot
11 petroleum.
12 Q. Is that on the increase or decrease?
13 A. My reports show it to be on the decrease in
14 Campbellton.
15 Q. On the decrease in Campbellton?
16 A. Yes Sir.
17 Q. And what about Dalhousie?
18 A. Dalhousie is definitely on the increase.
19 Q. And how many ships did you handle in Dalhousie?
20 A. About 115 ships in Dalhousie.
21 Q. Are you able to tell us the types of ships
22 which called here at Dalhousie?
23 A. The various types, there is tankers, motor
24 ships.
25 Q. What tonnage?
26 A. From a low of 300 net to a high of 6,000 net.
27 Q. And the majority of the ships which you
28 pilot, in what class would they be?
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TORONTO, ONTARIO

D. H. MEALEY,
Inquiry,
EX. - 403

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A. In the 2,000 to 4,000 net, that's close, at the moment.

Q. And what would their draft be, loaded?

A. Their draft, at the International Pulp and Paper, it is 26 feet, and the Government pier, 28 feet.

Q. How much more have you got available to handle that traffic?

A. 26 feet and 28 feet.

Q. I believe you were examined in St. John New-Brunswick on the principal activities of the district, and unless the Commission wishes, I have no more questions.

THE PRESIDENT:

Q. It was already covered, except one thing, that is as to Winter navigation here in Dalhousie and Campbellton?

A. There is no Winter navigation in Campbellton; in Campbellton, normally, the season ends by the middle of December and opens normally in the middle or late April.

Q. And from what you know, would it be feasible to go to Campbellton during the Winter?

A. No, not in my estimation, no Sir. The channel is too narrow, too constricted; the ice becomes awful thick, up to 40 inches; I don't even think it would be possible to maintain a channel from here to Campbellton.

Q. It piles up?

A. Yes, it rafts up fairly high.



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D.H. MEALEY,
Inquiry,
EX. - 404

1
2
3 MR. MAURICE JACQUES,

4 Counsel for the Commission:

5 Q. Would you describe your pilot boat?

6 A. It is 40-feet long, 10-feet of beam, with
7 a Carterpillar diesel engin, 155 horse-power; she was built
8 by Russel Brothers in Owin Sound, Ontario.

9 Q. What equipment does she carry?

10 A. She carries the standard compass, the proper
11 lights for a pilot vessel. That's about it, Sir.

12 Q. Do you have a radio-telephone?

13 A. No radio- telephone, no radar and no echo
14 sounder.

15 Q. Do you think you would need a radio-telephone?

16 A. We definitely need one, Sir.

17 Q. Do you think you would need a radar?

18 A. A radar would be of great assistance to us,
19 Sir.

20 Q. Is your boat equipped with a radar reflector?

21 A. No Sir.

22 Q. Is there much fug, here?

23 A. A fair amount, Sir.

24 Q. If you had a radar reflector, would you
25 feel safer?

26 A. No Sir.

27 Q. Why?

28 A. My experience, ships don't get you inside
29 half a mile to three quarters of a mile, they wouldn't pick you
30 up, anyway.



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D.H. MEALEY,
Inquiry,
EX. - 405

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Q. How much did the boat cost?

A. The boat is valued at \$ 17,000.00, when we purchased it.

Q. \$ 17,000.00?

A. The boat was not new.

Q. What equipment did she have on board?

A. As purchased new?

Q. What you have just described?

A. Yes Sir.

Q. Could she be used in ice?

A. To a certain extent: the early stages of ice making and the later stages of ice leaving, but not in the middle of the Winter.

Q. When do you take her out?

A. 20th. of December, and I put her back the 20th. of April.

Q. Is that about the same every year?

A. Yes.

THE PRESIDENT:

Q. What do you do when your boat is away for the Winter?

A. The International Paper Company have two tugs, and we have an understanding with them to use them.

MR. MAURICE JACQUES,

Counsel for the Commission:



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 406

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Q. I believe you do the dispatching here in the district?

A. Yes Sir.

Q. You assign yourself and your colleagues your duties?

A. Yes Sir.

Q. Do you have any said rules for that? Do you take turns?

A. We just take care of the district, Sir.

Q. Would the majority of your jobs be done during daylight hours or during nighttime?

A. I would say, Sir, it is at least 60% to 65% night work.

Q. That much?

A. Yes Sir.

Q. How do you receive the E.T.A. of the vessels?

A. From the agent.

Q. What notice do you require?

A. We have asked for a minimum of 24 hours; we get as much as 20 minutes.

Q. How long does it take you to get to the ship?

A. An hour, an hour and a half.

Q. So, the ship waits?

A. Yes Sir.

Q. Are you ever requested to produce your licence and tariff, by any master?



D.H. MEALEY,
Inquiry,
EX. - 407

1
2
3 A. Never have, up to now, Sir.

4 Q. You are taken for granted?

5 A. Yes. Being at the proper place and at the
6 proper time and aboard a properly identified vessel, we
7 apparently are accepted as pilots.

8 Q. Now, Sir, according to the by-laws, the
9 net revenue of the district is supposed to be divided equally
10 among the master pilot and the pilots, and I notice that in the
11 1960 report dated December 31st, 1960, that the net revenue was
12 not divided equally. Do you know the reason for that?

13 A. Maybe it shows on the report that it is not
14 divided equally, but rest assured it was, or Mr. Carr would
15 have heard of it.

16 Q. The report dated 31st. December 1960 filed
17 in as a bundle as exhibit 299 shows the following amounts paid
18 to the pilot Mott \$ 2,129.00, Mealey \$ 6,129.00, Farrall
19 \$ 5,258.00?

20 A. I would ask Mr. Carr if these amounts are
21 before or after income tax deductions.

22 Why I suggest it is because, for instance,
23 maybe I paid at that time, at this particular time, I was paying
24 25% income tax, Mr. Farrall was maybe paying 10%, and Mr. Mott
25 was maybe paying none at all or 5% or 15%.

26 No, this difference, I don't understand why
27 Mr. Mott is that low, why the full year shows that figure.



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D.H. MEALEY,
Inquiry,
EX. - 408

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That should be attributed to Mr. Farrall
and not to Mr. Mott.

Q. It might be a mistake; it might be a 6
instead of a 2?

A. It could be, yes.

THE PRESIDENT:

You may look now at the 1960 report.

MR. MAURICE JACQUES,

Counsel for the Commission:

I think it is a mistake, Sir, because it
doesn't total up.

THE PRESIDENT:

Look at the 1960 report; you have three
different figures.

MR. MAURICE JACQUES,

Counsel for the Commission:

Which one, Sir? March?

THE PRESIDENT:

March.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. The March 1960 report shows that difference?



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D.H. MEALEY,
Inquiry,
EX. - 409

1
2
3 A. Sixty-five and sixty-four, - I can appreciate
4 there is a total of less than \$ 36.00, around \$ 36.00, and it
5 could be derived from the fact that we have so many cents to
6 distribute each month, to split, and Mr. Farrall in 1960, if I
7 am not mistaken, was on a percentage basis, as his first year
8 on the river as a licenced pilot.

9 THE PRESIDENT:

10 Q. Would that be the same thing that was
11 continued on the other reports ending December 31st, 1960? That
12 would make up the difference between Mr. Farrall and the two
13 other pilots?

14 A. Very possible, Sir.

15 MR. ROBERT KNOWLTON SMITH,

16 Commissioner:

17
18 Q. Just one question I would like to ask the
19 witness, my Lord: Captain, would you have any suggestions to
20 make to the Commission as to how this district could be improved
21 from the standpoint of pilotage or safety for navigation?

22 A. Yes, if I may, in anticipation of that, I
23 have prepared a small fifteen-item-points here that we, the
24 pilots, consider to be the situation as it exists here today,
25 with the recommendations as to how it could be improved.

26 I would like to submit it, if I could.

27 MR. MAURICE JACQUES,

28 Counsel for the Commission:
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D.H. MEALEY,
Inquiry,
EX. - 410

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Q. Would you file as exhibit no. 301.

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Q. I would have it put in the record, my
Lord.

MR. MAURICE JACQUES,
Counsel for the Commission:

Q. Would you read it, and comment as you go
along?

A. The comments are included in, unless you
want to elaborate.

THE PRESIDENT:

Q. You will take one after the other, read the
first article, and then make your comments?

A. "Item no. 1, several buoys not in position".

This situation was such that these buoys
were placed out of position when they were placed in the river
two weeks ago.

My suggestion is to take proper bearings,
chart them, submit them to Captain Gaudreau who is our district-
marine-agent in Quebec, and have these buoys placed in their
proper place.

The next item "Need a proper fairway buoy
established at pilot station so that vessels arriving at entrance



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D.H. MEALEY,
Inquiry,
EX. - 411

1
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3 may safely anchor in event pilot vessel is not at the station.

4 THE PRESIDENT:

5 Q. What you read there is article no. 2?

6 A. No.2. A misnomer has been placed on our
7 no. 2 starboard-end buoy.

8 Over the years, it has been referred to as
9 a fairway buoy. It is not a fairway buoy, it can only be passed
10 starboard end and out.

11 We would request that a proper fairway
12 buoy be placed a mile and a half east, with a flashing light,
13 at which ships could anchor if there is no pilot vessel there,
14 and they could safely stay there.

15 Item no. 3 " Existing buoys are too small
16 and especially so in view of the large vessels due in the port
17 to handle concentrate cargos".

18 On this one, I think you have seen the small
19 little piquets that we have as buoys.

20 "Item 4, Bon Ami light is next to impossible
21 to locate from seaward due to mass of lights of the town directly
22 behind light-house."

23 Many masters asked me what I am sighting on,
24 and I have tried to point out the light. They can't locate it.

25 It is a fixed light with the entire town
26 behind it.

27

28

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D.H. MEALEY,
Inquiry,
EX. - 412

1
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3 Item 5 "Old light-house on old Government
4 wharf taken out of service, thus causing loss of necessary
5 range for entering and leaving South channel. Pilots now must
6 use small flasher-type-light of their own in position of old
7 light-house".

8 All pilots, at night, when we bring a ship
9 in or out, we have to come up here and put a lantern on the old
10 light-house, to give us our range.

11 MR. MAURICE JACQUES,

12 Counsel for the Commission:

13 Q. What sort of lantern do you put there?

14 A. We have these vapor lamps, battery-operated-
15 vapor lamps that flash a brilliant light-flash.

16 Q. Your own?

17 A. Yes.

18 Q. You paid for that?

19 A. We supply them and put them on.

20 Our disposition for this was to re-activate
21 the old light-house as part of a new installation.

22 "Item 6, channel between Douglass Island
23 and Middle Ground too narrow for large deep-draft vessels."

24 You proceeded in through that way, this
25 morning.

26 We have a distance of 250 feet maximum,
27 there.



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D.H. MEALEY,
Inquiry,
EX. - 413

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These ore carriers are in excess of 90 feet in beam and 31 to 32 feet in draft. You have a very heavy current on both sides, on the set and on ebb.

The master of this vessel, this morning, had his own problems going through that same place.

We request dredging of North side of channel to give additional 100 feet width.

Item no. 7 ...

THE PRESIDENT:

Q. I gather there is much silting here?

A. A fair amount, Sir, on the North Side; it is rock on the South side.

"The ferry from Dalhousie to Miguasha is a problem in that she is a crossing vessel at all times in a restricted manoeuvring area".

You experienced that this morning; the ferry cut across your bow as you came across the channel. He can get out of the way; you can't.

With these big vessels, it is impossible to do much because of your momentum.

It is next to suicide to go full astern, there.

We have no recommendation on that.

Q. I think it is a question of the rules of traffic. I know in Quebec it is provided that the ferry boat always waits for the ship to go by. It always does?



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 414

1
2 A. It doesn't here, Sir.

3
4 MR. MAURICE JACQUES,

5 Counsel for the Commission:

6 Q. Have you ever approached the harbour master
7 on that subject?

8 A. No Sir.

9 Q. You might try it?

10 A. Yes Sir.

11 Q. You have a harbour master, here?

12 A. We have a political appointment here, Sir;
13 he doesn't know the blunt end from the sharp end of a ship.
14 He doesn't appreciate what you are talking about.

15 "No. 8, a channel across the Middle Ground
16 West of International Paper Company wharf would provide safe
17 entry and exit to both wharves".

18 That's, in the Middle Ground area, right
19 about here.

20 Now, we have 18 feet at low water, which
21 forces us to use the service channel at all times with deep-
22 draft vessels.

23 "No. 9 safe draft to port of Campbellton
24 is constantly being argued, and we believe our only authority
25 to be the latest soundings as provided by the Department of
26 Public Works".

27 This is what we base our argument on, which
28
29
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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 415

1
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3 presumes we would continue to do justice.

4 There has been, I believe, elaborate - there
5 is an argument from the people in the Ministry...

6 Q. We are highly interested in that?

7 A. We have had occasion to get into trouble
8 with stevedores shipping from and in Campbellton who maintain
9 we will not take vessels up to Campbellton that should properly
10 go up there, in their estimation.

11 A case in mind came to a head with a
12 Norwegian sulphur vessel called Ilsa. The full cargo of sulphur
13 was drawing 23 feet, and we refused to take her to Campbellton

14 Q. How much water did you have?

15 A. 21 feet.

16 Q. And what is the nature of the bottom?

17 A. Mud.

18 The outcome of that was that the sulphur
19 vessel was brought in Dalhousie, a 1,000 tons was discharged to
20 lighten her to 21 feet, and she was eventually taken to
21 Campbellton.

22 Q. Did you do the job yourself?

23 A. No, Mr. Farrall was the pilot on board; I
24 put him on board.

25 This was on a Monday. On Wednesday, the
26 local paper hit the street criticizing us severely for using
27 our position as pilots to force ship into Dalhousie rather than
28 take them to Campbellton.

29

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D.H. MEALEY,
Inquiry,
EX. - 416

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Q. Do you have a copy of that newspaper?

A. Yes.

Q. Would you send that copy to the Commission

A. Yes. This wasn't the only thing; there was several instances of this nature, and we, the pilots, were being blamed for not taking the ships to Campbellton.

Yet, to people who realize they don't know what they are talking about, there is no problem, but we have to live here.

Q. Did the commission make any press release in that respect, or take a stand?

A. Yes, we took a stand.

Q. What did you do?

A. With myself and Mr. Farrall, we went to the editor of this particular paper and explained the facts of life to him and asked for a retraction in the paper, which we got somewhere in the last page the following week.

Q. As all retractions are?

A. Yes.

THE PRESIDENT:

Q. But it was done by you and not by the commission?

A. Yes, Mr. Farrall who was acting chairman of the commission at that time was with me.

MR. MAURICE JACQUES,
Counsel for the Commission:



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TORONTO, ONTARIO

D.H. MEALEY
Inquiry,
EX. - 417

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Q. And since then, have you suffered any adverse comments?

A. Yes Sir, we get the effects; when we go to Campbellton with a ship, when it is drawn up to the dock we get it from the longshoremen, from the agent we get it where we go.

Q. Is it something done with spite?

A. Yes, from the fact that the new pilot lives in Dalhousie rather than in Campbellton. All three of us stay in Campbellton; this is what we are asking for Representation on the pilots from Campbellton.

Q. To your knowledge, were applications received from Campbellton?

A. No Sir. Mr. Carr has them on record, when applications were made from the outside, none were coming from Campbellton.

Q. Did you see yourself all these applications?

A. Yes.

Q. That's to your personal knowledge?

A. Yes Sir.

Q. You read all the applications?

A. Yes.

Q. There was none from Campbellton?

A. No Sir.

Q. When was that?



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D.H. MEALEY,
Inquiry,
EX. - 418

1
2
3 A. 1961, following Mr. Mott's death.

4 THE PRESIDENT:

5 Q. You are familiar with the description of
6 the duties given to you?

7 A. Yes, from the Department of Public Works.

8 Q. And you receive them periodically?

9 A. No, only upon request, but anytime we will
10 request them, we receive them.

11 Q. They are not circulated as they are drawn?

12 A. No Sir, apparently not. We get very good
13 co-operation from the Department of Public Works in St. John's.

14 Q. And the agents in Campbellton, do they
15 know about that?

16 A. If they do, they don't wish to believe it,
17 Sir.

18 They have a dirty back-yard, and they are
19 trying to put it on somebody else.

20 "No. 10, turning basin at Campbellton is not
21 wide enough nor deep enough in our opinion and should be dredged
22 to at least the same depth as that alongside the wharf".

23 Over the past number of years, dredging has
24 been carried out annually in Campbellton along the face of the
25 wharf, but I can go back and find out when dredging was done in
26 the turning basin. I can't find dates of it being done.

27 We would recommend that the river basin
28 would be considered.

29

30



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 419

"Item 11, East end of Campbellton wharf almost impossible to locate on dark night".

There is about 18 inches of freeport on this wharf at high water. You have the entire city sitting behind it with its maze of lights, and you try to pick-up 18 inches of freeport half a mile away on a dark night. It is almost impossible to find it.

We recommend that a light be established in the North-eastern corner and imbedded into the jetty, or placed on a standard.

"No. 12, intermediate ranges on Battery Beach have been on the ground for a number of years and have no value in this state. We would request they be re-erected.

THE PRESIDENT:

Q. Battery Point, on the map?

A. Yes. If I may, your Lordship, this Battery Point, this is what we call "Battery Beach", and there is a series of intermediate ranges for coming around the corner.

When questioning the Department of Transport, we were informed they were ranges for the use of the Department of Public Works, and when we questioned the Department of Public Works, it was vice-versa.

"No. 13, buoys no. 10G and 12G are in reverse numerical position".



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D.H. MEALEY,
Inquiry,
EX. - 420

1
2
3 That is Point-à-la-Garde. This is no. 10
4 and this is no. 12. This buoy is here and this buoy is here.

5 Q. The actual location ?

6 A. The actual location is not inquestion, but
7 the numbers are reversed.

8 MR. MAURICE JACQUES,

9 Counsel for the Commission:

10 Q. Are they always placed in reverse order?

11 A. No Sir.

12
13 THE PRESIDENT:

14 Q. This year?

15 A. This year only.

16 MR. MAURICE JACQUES,

17 Counsel for the Commission:

18 Q. Have you drawn this fact to the attention
19 of the Department of Transport?

20 A. No, to the buoy contractor only.

21 First of all, this outside buoy was placed
22 in the wrong position, as well as these two here, up the river.
23 We brought this to the attention of the buoy contractor, which
24 is normally sufficient, he looks after it.

25 There is nothing done about it to this point.
26 So, now, the only thing is to notify Captain Gaudreau.

27

28

29

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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 421

We wanted to take sextant bearings and send the entire information to Captain Gaudreau.

Q. When did you notify the contractor? How long ago?

A. The buoys were placed in the river two weeks ago Friday. I would say it was two weeks ago yesterday, Sir.

Now, no. 14, and I believe a very important one to you "Tide Tables for these ports as issued by the Canadian Hydrographic Service now call for use of Pointe-St-Pierre as reference port rather than Father Point as was used for many years. We find that Pointe-St-Pierre has been out as much as one hour and ten minutes on the actual turning of the tide, whereas Father Point is as close as can be expected.

Q. What do you mean "Pointe-St-Pierre has been out as much as one hour and ten minutes"? At Pointe-St-Pierre or here, after doing the calculation?

A. That's right, Sir. We have continued to use Father Point and have run into arguments with various masters on this matter, and they have asked us to show them where we got the authority to use Father Point rather than Pointe-St-Pierre.

So, I have kept a copy of the 1958 edition of the tide lines in order to produce it, and it then gives



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D.H. MEALEY,
Inquiry,
EX. - 422

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3 Father Point as reference point for Dalhousie and Campbellton.

4 Our recommendation is that if at all
5 possible, we will return or have Father Point re-instated as
6 the reference point for these two ports.

7 Q. Have you brought that particular point to
8 the attention of the Canadian Hydrographic Service?

9 A. Yes. I was told to instigate a series of
10 readings over a period of time, and submit to them.

11 I don't know how long they want us to take
12 this data, or if it is the job of the pilots here to do it.

13 It was far simpler, if you want to call it
14 that, to continue to use Father Point, eventhough it is not
15 spelled out in the book.

16 THE PRESIDENT:

17 Q. Was that data furnished?

18 A. No, Sir, we didn't institute the soundings
19 or the requested information.

20 "Item 15, Tow-boats in the river with large
21 rafts of pulpwood are encountered during most of the season,
22 but close co-operation between the master of these tow-boats
23 and the pilots has been the answer to this situation in the
24 past and will continue to be so".

25 But, it definitely is a situation we
26 encounter. With this recommendation, we will continue on as
27 we are doing.
28
29
30



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D.H. MEALEY,
Inquiry,
EX. - 423

1
2
3 Q. Any accident with that hazard?

4 A. We have never had an accident with a tow-
5 boat.

6 And as an after-thought, I will slide in
7 a request, if at all possible: What are the possibilities of
8 being provided with VEF radio.

9 MR. MAURICE JACQUES,

10 Counsel for the Commission:

11 Q. Now, Sir, in your experience, has there been
12 any ship subject to the pilotage dues which has not taken a
13 pilot coming here?

14 A. No Sir.

15 Q. None?

16 A. No Sir.

17 Q. All ships take pilots?

18 A. Yes Sir.

19 Q. Coasters?

20 A. Yes Sir.

21 Q. Could you name a few coasters that come
22 here?

23 A. Oh yes, there is.....may I refer to my
24 register? One ship called the Langlade.

25 Q. What tonnage?

26 A. As to her net tonnage, I would estimate she
27 is 85 tons.
28
29
30



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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 424

1
2
3 Q. 85 tons net?

4 A. Net.

5 Q. What is her length and draft, approximately?

6 A. The Langlade is about 115 to 120 feet in
7 length, maybe 25 foot beam, she is a French vessel from St-
8 Pierre-Miquelon.

9 There was the Savoy, there was Wahcondah.

10 Q. What about the Savoy? When she comes here,
11 does she take a pilot?

12 A. Yes Sir.

13 Q. Does she make many trips here?

14 A. Yes, a good many trips.

15 Q. And she always takes a pilot?

16 A. Yes Sir.

17 Q. And all coasters, regardless of their
18 tonnage?

19 A. Yes Sir.

20 Q. Eventhough under 250 tons net?

21 A. Yes.

22 Q. They have taken pilots?

23 A. They have taken pilots.

24 Q. Which vessels do not take pilots?

25 A. The only vessel that I have experienced that
26 haven't requested pilots have been Government vessels.

27

28

29

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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 425

1

2

3 Q.

What do you mean?

4 A.

Ships like this one.

5 Q.

The Canadian Coast Guard?

6 A.

Yes Sir.

7 Q.

Apart from that?

8 A.

Apart from that, they always ask pilots.

9

10 We provide pilot service to the ice-breakers
11 in the Wintertime; we provide pilotage service to her Majesty's
12 ship on courtesy calls, at the request of the master.

13 Q.

14 Would these improvements in the aids to
15 navigation, which you just suggested, enable a certain class
16 of vessels to come up here without pilot?

17 A.

I can't see it, Sir.

18 Q.

You can't see it?

19 A.

No Sir.

20 I am not saying they couldn't come in, but

21 I don't think that these additional or improvements to the aids
22 is going to make the port that much easier to get in or out.

23 Q.

24 If a ship went to ground anywhere in the
25 channel here, would it disrupt traffic?

26 A.

Oh, very certainly, Sir.

27 Q.

It would disrupt traffic completely?

28 A.

Yes.

29 Q.

It would?

30 A.

Yes Sir.



1
2
3 Q. Now, Sir, for the record, I wish to state
4 that the statement dated December 31st, 1960, part of exhibit
5 299 contains a mistake.

6 Mr. Mott is shown to have received \$ 2,129.00,
7 whereas this figure should read: \$ 6,129.00, that is, the same
8 as Mr. Mealey.

9 Is there anything further you wish to say
10 as regards pilotage, or any comment, any fact which is to your
11 own knowledge, which has not been brought out in this evidence?

12 A. No. I believe, Sir, what we have submitted
13 here can be very thoroughly thought over; you have all the
14 points we have in mind.

15 Q. Do you think the evidence given by Mr. Carr
16 and by yourself covers completely the pilotage here? Has
17 anything been forgotten?

18 A. Well, if it has, it still is.

19 Q. Now, for the record, Sir, would you state
20 the qualifications of your second pilot, please. He has not
21 returned yet?

22 A. His qualifications, he served a three years'
23 apprenticeship with us, at the completion of which he was
24 examined by the master pilot at the time, along with myself, and
25 found competent to do the job, and our recommendation was
26 submitted to the commission who upon, I imagine, their approval,
27 they issued the licence on our recommendation.

28

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TORONTO, ONTARIO

D.H. MEALEY,
Inquiry,
EX. - 427

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Q. Has he had previous sea experience?

A. No Sir.

Q. None at all?

A. No Sir.

Q. He never served on the deck of a ship?

A. No Sir.

Q. The only experience he has is as an apprentice pilot, like you?

A. Yes Sir.

Q. Has he ever been involved in an accident?

A. He has had one grounding since he was with us.

Q. Have you any personal knowledge of that grounding?

A. Yes.

Q. What was the cause?

A. The wind was so damn hard, the water went out of the river, but he was in the middle of the channel.

Q. He was in the proper place?

A. He was in the proper place, but the water just came out.

Q. He was in the proper place, but the water wasn't?

A. Yes.

Q. To the best of your knowledge, within the past five years, was there ever any accident in your district?



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D.H. MEALEY,
Inquiry,
EX. - 428

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A. You call a grounding an accident?

Q. Yes?

A. Yes.

Q. Would you tell us about that grounding?

A. I grounded the M.V. Thorsriver.

Q. Where?

A. At Pointe-à-la-Garde.

Q. What was the cause of that grounding?

A. A light ship, strong wind, she would not answer her helm sufficiently to come around the corner.

Q. Was much damage done?

A. No damage.

Q. And the previous case you just mentioned, was there any damage?

A. No damage.

Q. Did you ever hit any wharves up here?

A. No Sir.

Q. Do you think that two pilots is sufficient, here?

A. 90% of the time, yes.

Q. What about the other 10%?

A. We need a third man.

Q. You need a third man?

A. Yes Sir.

Q. And for how long every year would you need a third man?



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D.H. MEALEY,
Inquiry,
EX. - 429

1
2
3 A. That's very difficult to say because it
4 only happens at certain times when you get a rush of ships
5 coming in.

6 Mainly, it will happen at the first of the
7 season, such as this particular month, and again in November,
8 a rush to get out away from here before the ice.

9 I must, in all fairness, say that two men
10 can do the job, provided they maintain their health, their well-
11 being.

12 But the district is in a very poor situation
13 if you have only two men here and one happens to get hurt.
14 That's why we are bringing in the apprentice.

15 Q. You are bringing in an apprentice?

16 A. Yes, we expect to have three pilots by the
17 end of this year.

18 Q. Would you have any knowledge why Carleton
19 was taken out of your district?

20 A. Only hearsay, Sir.

21 THE PRESIDENT:

22 Q. State the hearsay as hearsay?

23 A. Because the pilots here didn't attend
24 navigation school at Rimouski, we weren't qualified to dock
25 ships in and out of Carleton.

26
27 MR. MAURICE JACQUES,

28 Counsel for the Commission:
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D.H. MEALEY,
Inquiry,
EX. - 430

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Q. Who is supposed to have said that?

A. That, I couldn't say.

Q. Is it because you won't say?

A. I am under oath, I would rather not say it,
Sir.

Q. You can tell it to me off the record
afterwards?

A.

MR. ROUSSEAU,

Q. Could you repeat that part of the qualificatio
of not attending the Institute of Marine at Rimouski?

A. I believe it went this way: Because the
pilots here had not attended navigation school at Rimouski, they
were not qualified to pilot in and out of the port of Carleton.

Q. Who said that to you or gave you this
statement?

A. Again, Sir, I would rather not say.

Q. I would like the witness to elaborate on
a question he stated previously; I believe he said whenever he
was on a ship with the bridge aft, his visibility was impeded;
I would like him to elaborate on this point?

A. Well, my contention there is that with these
vessels with the bridge aft, we call it "bridge aft" you got
a maze of riggings and spars and what-nots in front of you, and
specially with a light-drafted ship, this channel we have to



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D.H. MEALEY,
Inquiry,
EX. - 431

1
2
3 navigate, it is difficult to see marks, ranges, lights and
4 go out and close in on them. You have to be constantly moving
5 from one bridge to the other.

6 And again, when piloting, anyway, you don't
7 get the same perspective from the bridge as you do from a mid-
8 ship.

9 Q. Could I ask if the witness finds it much
10 harder to manoeuvre a ship with the bridge aft than a
11 conventional ship, that is with bridge amid ship?

12 A. I don't find it any harder to manoeuvre,
13 as far as the actual manoeuvre; but I don't feel the same
14 having, say, 250 feet of ship in front of me and 50 feet behind.

15 With everything ahead, I tend to loose my
16 control of how fast her stern is going around, and I have to
17 constantly watch myself on this, because you don't get the same
18 feel with the bridge aft; you have all the ship forward and
19 very little aft, and you come out faster than you believe you do.

20 MR. MAURICE JACQUES,

21 Counsel for the Commission:

22 Q. Are you getting used to these ships?

23 A. Yes.

24 Q. Do you find it easier?

25 A. I haven't found it easier, no.

26 Q. As the years go by, or as the number of
27 bridge aft ships you piloted has increased...?

28

29

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D.H. MEALEY,
Inquiry,
EX. - 432

1
2
3 A. It is a relatively short time we have them
4 come in here; I can't say that I have gotten any feelings about
5 it.

6 THE PRESIDENT:

7 Q. What is the size of the bridge aft ships
8 that come here?

9 A. The City of Camberman is the largest, 511
10 feet long, Sir.

11 MR. MAURICE JACQUES,

12 Counsel for the Commission:

13 Q. Do you think that you could get used to a
14 bridge aft ship?

15 A. We have to, Sir.

16
17
18 AND FURTHER DEPONENT SAITH NOT.

19
20 I, the undersigned, Court Reporter,
21 hereby certify that the above evidence
22 is a true transcript of my shorthand
23 notes.

24
25 G. OSCAR BOISJOLY,
26 Court Reporter.

27 Adjourned to Bathurst,

28 4:30 P.M.
29
30



ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

PRESENT: HONORABLE YVES BERNIER, J.S.C.

Commissioners:

ROBERT KNOWLTON SMITH, Esq.

HAROLD ALEXANDER RENWICH, Esq.

MR. MAURICE JACQUES, Attorney.

ON BOARD S.S. C.D. HOWE, Bathurst,
4:30 P.M.

On the twenty-first day of May, the year
nineteen hundred and sixty three:

ANTONIO J. ROBICHAUD, age 45, being duly
sworn on the Holy Evangelists, doth depose and say:

EXAMINED BY MR. MAURICE JACQUES,

Counsel for the Commission:

Q. Your profession is: Lawyer?

A. Lawyer.

Q. And you are a Q.C.?

A. Q.C., that's right.

Q. And you are also the secretary to the local
pilotage commission?



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A.J. ROBICHAUD,
Inquiry,
EX. - 434

1
2
3 A. That's correct.

4 Q. How long have you been the secretary?

5 A. Since the 10th. of July 1959.

6 Q. Sir, I am instructed that various changes
7 in the local commission took place in 1959 because of complaints
8 by the residents here. Do you have knowledge of these complaints?

9 A. I wouldn't know at all.

10 Q. Now, would you describe how you administer
11 the district?

12 A. The pilotage is not too complicated in our
13 harbour at Bathurst.

14 We have two pilots, and I have here a copy
15 of the slips that are in the possession of the pilots. There is
16 an outward one and inward one.

17 When the pilot brings in a ship, these
18 slips are signed by the ship captain and the pilot, and it is
19 returned to me.

20 Q. Yes?

21 A. Upon receiving those slips from the pilot,
22 I prepare this form of account which I send to the shipper, for
23 payment.

24 All payments are made to me as secretary.

25 At least once a month or possibly several
26 times during the month, depending on the number of boats coming
27 in the harbour, I prepare a statement and pay the pilots.

28

29

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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX.. - 435

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3 The copies of the statements are given to
4 each pilot and to the linesmen.

5 Q. And what information is shown in your
6 statement?

7 A. On the statement, I show the name of the
8 ship, the date it was in, the amount paid, and I detail it as
9 follows: Pilots, so much; boat, so much; and linesmen, so
10 much.

11 I take off my commission of 5%, and the
12 pilots are paid fifty-fifty, in a division of fifty-fifty.

13 The boat is separate, and the linesman is
14 paid separate.

15 Q. Do you have a special fund for this boat
16 fee?

17 A. I have a trust account in the bank, in the
18 name of the pilotage commission, and all money is deposited
19 there and paid out of that account.

20 Q. And paid out of that account?

21 A. Yes.

22 Q. Now, to whom do you pay the boat fee?

23 A. The boat fee.....the pilot boat is owned
24 by one of the pilots, Mr. Allie Doucet, and the boat fee is
25 paid to Mr. Doucet.

26 Q. The boat charge is paid directly to Doucet?

27 A. Yes.
28
29
30



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 436

1

2

3 Q. And what about the linesman? To whom do
4 you pay?

5 A. The linesman is Murrey McClean, and he is
6 paid separate, that is for mooring charges.

7 He also acts as boatman on the pilot boat,
8 and he is paid by the boat owner, that is Mr. Doucet.

9 Q. You don't pay him directly, do you, this
10 linesman?

11 A. Yes, I pay him his cheque along with the
12 pilots, for warfing the ship or any shift he may make, if there
13 is any shifting to be done, he is paid \$ 10.00 extra.

14 Q. Upon reading your by-law, I find no mention
15 you may collect dues for the linesmen or boatmen; I find you
16 may collect dues for pilotage and boat charge?

17 A. I call it "linesman" but that's the boat
18 charge for the ship.

19 Q. Is that over and above the \$ 15.00 you are
20 entitled to get as boat charge for services rendered in connection
21 with pilotage?

22 A. Right. The charges are on the billings.

23 Q. We might file a copy of your invoice as
24 exhibit no. 302; and the pilot form, inward and outward, as 303.

25 Now, Sir, exhibit 302 shows the following
26 charges: Pilotage services inward, outside movage, tonnage,
27 dues inward and outward. This is in accordance with the by-law,
28 is it not?

29

30



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A.J. ROBICHAUD,
Inquiry,
EX. - 437

1
2
3 A. Right.

4 Q. It shows also a pilot-boat-fee inward and
5 outward of \$ 10.00. I believe, Sir, that your by-law...

6 A. That's \$ 15.00.

7 Q. ...I believe that your by-law provides for
8 a charge of \$ 15.00. Would you explain why the \$ 15.00 was
9 not collected?

10 A. The \$ 15.00 is not collected, but it is
11 itemized as \$ 10.00 for the boat and \$ 5.00 for the boatman.

12 Q. So, the boatman's fee shown on exhibit 302
13 is included in the \$ 15.00 which is collectable under the by-
14 law?

15 A. Right, which makes it \$ 15.00 inward and
16 \$ 15.00 outward. That covers the boat and the boatman, \$ 15.00.

17 Q. And how long has this arrangement been
18 carrying on?

19 A. Eversince I am acting, and I believe it was
20 on prior to that for some years; I couldn't say exactly.

21 Q. Exhibit 302 shows a space for other charges.
22 What other charges would you make?

23 A. Other charges, there could be some extra,
24 at the request of the captain, for instance for water, or he
25 will require some service from the pilot in any way, shape or
26 form.

27 If it is requested, we add it as other
28 charges, but there is one item always added, that is the \$ 25.00
29
30



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A.J. ROBICHAUD,
Inquiry,
EX. - 438

1
2
3 for warfing.

4 Q. And that's to cover what?

5 A. That's to cover the ship, warfing the ship
6 at the dock.

7 Q. That's over and above what is contained in
8 the by-law?

9 A. Right. That's why the linesman comes in,
10 when I was talking about the linesman, that's the man who
11 looks after the ropes on the dock and so on.

12 Q. And how long has this charge been made?

13 A. Eversince I have been appointed, and by
14 the records prior to my being there.

15 THE PRESIDENT:

16 Q. Do I understand well that the warfing charge
17 is really the linesman's charge?

18 A.

19 Q. That \$ 25.00 goes to the linesman?

20 A. Right.

21 MR. MAURICE JACQUES,

22 Counsel for the Commission:

23 Q. And has the amount charged for these services
24 varied from year to year in the past?

25 A. It may have varied, not to my knowledge,
26 but I believe it would not have been \$ 25.00 years back, but it
27 has not varied since I am acting as secretary.
28
29
30



1
2 Q. Now, your commission of 5%, on what figure
3 is it taken?

4 A. Of the total.

5 Q. Of the ~~total~~ pilotage service, boat service
6 and all charges?

7 A. All charges; you might say: 5% of the
8 total billing.

9 Q. Of the total billing to the ship?

10 A. Right.

11 Q. Including any extra service which might be
12 rendered?

13 A. Correct.

14 Q. Now, Sir, I believe you have also got your
15 annual returns for the year 1959, 1960 and 1961, which we may
16 now file as exhibit 304?

17 A.

18 Q. Upon reading your annual returns for 1962,
19 we see that there is major increase in shipping since 1960.

20 Are you able to tell the Commission the
21 cause of this major increase?

22 A. There are many factors that enter here:

23 One factor is the installation by Irving
24 Oil Company Limited of a plant at the wharf in East Bathurst,
25 and there is considerable amount of shipping from Irving Oil, in
26 the Spring and the Fall of the year to tank up storage for the
27 Winter. This is one reason.



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A.J. ROBICHAUD,
Inquiry,
EX. - 440

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Another one is the Bathurst Paper Company Limited; in the past two years, it has begun to ship more by sea than by rail. We have an increase in the shipping.

The third factor is the pulpwood shipping. This varies with the demand and the market.

There may be more involved there, and some facilities added to the port in recent years, such as dredging and a few more lights.

Q. Do you foresee that this increase will continue at the same rate in the next few years?

A. I would believe so, yes.

Q. At the moment...?

A. There are indications of a good year for 1963.

Q. At the moment, with your two pilots handling 76 ships, do you think that you might need an extra pilot if traffic continues to increase?

A. So far, we have been able to handle whatever shipping, quite satisfactorily.

We may have, if that continues, we may have to add an apprentice pilot shortly or within a year or so.

Q. Has this been discussed with the commission and the pilots?

A. Yes. Not between the pilots, but as secretary, I have had an application made, which would be considered in time.



A.J. ROBICHAUD,
Inquiry,
EX. - 441

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Q. And you have had only one application for
an apprentice?

A.

Only one application for an apprentice.

Q.

Have you advertised the job?

A.

No.

Q.

You have not?

10 A.

No.

12 Q.

Do you know how this application was

received?

14 A.

Well, the application, as a matter of fact,
is made by Mr. McClean who is acting as boatman on the pilot
boat, and who has acquired quite a bit of experience working
with the other two pilots for the last two or three years and
knows the harbour quite well.

18

There is a possibility he might become a
good pilot.

20 Q.

Are your accounts audited at any time?

22 A.

No.

24 Q.

They are not.

26

According to your by-law, Sir, you have the
direction of the pilots and may perhaps order for pilots, out of
the by-law. Have you made such orders?

28 A.

Not any written orders.

30

I have had the pilots with me and lay down
certain things as I want them to do in the way of working in
order to give satisfaction, service, and outside of that, there

30



A.J. ROBICHAUD,
Inquiry,
EX. - 442

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4 has been no formal by-laws or orders outside of going by the
5 by-laws which you have there now.

6 Q. And what would these instructions be?

7 A.

8 The main instructions are to give service,
9 courteous service aboard ships, as far as the handling of ships
10 when they would come in the harbour, and follow these regulations
11 copy of which the pilots have in their possession, and to report
12 anything that should be reported to me.

13 Q.

14 Now, Sir, your by-law, at section 7 sub-
15 paragraph 3 stated that the net revenue of the district would
16 be computed - that you would compute the shares in that revenue
17 on the basis of time worked.

18

19 Is it what you usually do?

20 A.

21 You can't actually compute on the basis of
22 time worked because it is more or less piece-work.

23

24 I consider this piece-work; a ship comes
25 in, it is worth so much more to the pilots, and you have to
26 divide - pay the pilot according to what they earn for that
27 particular ship. There is nothing more.

28

29 Now, this, if I may say, the arrangement is
30 that those two pilots want to divide on a fifty-fifty basis.
31 They were satisfied at that. It has been discussed, and it has
32 been working quite satisfactorily.

33 Q.

34 It has been accepted by the pilots?

35 A.

36 Yes, I think it averages more fairly for
37 each pilot this way than by giving them turns on each ship,

38



A.J. ROBICHAUD,
Inquiry,
EX. - 443

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4 because the tonnage of one ship may be less, and the other one
5 more.

6

7 You land with one pilot having a larger
8 income, and for just about the same amount of work.

8

9 This way, there is no problem. If any
10 pilot has to be absent at any time, he informs me, and I make
11 arrangements with the other pilot to be available at all times.

12 Q.

13 Now, Sir, who receives the notices of
14 requirement for pilots? Who receives the E.T.A. of the vessel,
15 for instance?

16 A.

17 That is another big question.

18

19 We have Irving Oil, Bathurst Power and
20 Gloucester Lumber Company, our main shippers, here.

21

22 The notice will come in, say, at the office
23 of Irving Oil, and they notify the pilot or reach me, there is
24 always a pilot available, and they get the time and make
25 arrangements to meet the ship.

26

27 The same thing happens with Bathurst Power
28 and Gloucester Lumber.

29 Q.

30 What about a stranger? To whom would he
31 apply?

32 A.

33 He would apply to me, or he could probably
34 know the pilot; they have been there for 19 or 20 years.

35 Q.

36 In the majority of cases, what happens?

37 A.

38 In the majority of cases, the pilots know
39 that the ship is coming in and what time she is going to come in

40



A.J. ROBICHAUD,
Inquiry,
EX. - 444

1

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4

Then, sometimes, I would know.

Q.

So, they look after that themselves?

A.

Yes, they are available.

Q.

Now, the information which is supplied to you by the pilots on exhibit 303, do you check the tonnage?

A.

Not personally, no, I don't check the tonnage; I rely on the pilot and the ship master.

Q.

So, that is never checked by you?

A.

I imagine it is checked by the pilots, because they are the ones that are involved more than I am; I am only involved to the amount of 5%, but the pilots would notice if there is a difference in the tonnage.

Q.

Since you have been in office, have you had occasion to issue a licence to a pilot?

A.

Yes, we have issued licences in a proper form.

20

I think we had the form from the Department, I believe, and it was issued, and it is carried in the pilot book.

Q.

Have you had occasion to set up a board of examiners for a new pilot?

A.

No.

Q.

This applicant for apprenticeship, do you know if he has any certificate of any kind?

A.

No, it was just a letter of application, no reference or certificate of any kind.

29

30



A.J. ROBICHAUD,
Inquiry,
EX. - 445

1

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Q. Do you know if he holds a certificate of
master of a home-trade tug?

A.

I couldn't say at all; we haven't entertained
the application yet.

Q.

To the best of your knowledge, are your
pilots employed elsewhere than on pilotage?

10.

No, they are - I would say they don't do
anything else, but they are free, during the fishing season,
maybe they will do a little fishing, lobster fishing or things
like that.

10.

They have no other regular occupation?

10.

No other regular occupation.

10.

To the best of your knowledge, they are
always available?

10.

During the shipping season, they don't do
any other occupation.

20.

And how long is the shipping season here?

20.

You could say, average, the first of May -
first of April - I would say: The fifteenth of April to about
the tenth of December, depending on some years.

20.

And during the Winter, there is absolutely
nothing?

20.

From December on to April, there is nothing.

20.

Have you had occasion to exercise the
disciplinary powers which are granted to you under the by-law?

29

30



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 446

1

2

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4. A.

No.

5. Q.

pilots?

Have you had any complaints as regards the

6. A.

No.

7. Q.

Anyway the time of their vacation or leave?

Did you yourself set down or determine

8. A.

No, the occasion has not arisen for that

matter, because, as I said before, the pilots, during the

shipping season are always here.

9. Q.

But it had occurred on a few occasions when

some of the pilots had to go away two or three days for certain

reasons, and that was arranged by notifying me, and then I

arranged with the other pilot to be available and find out if

any ship were to come in during that time, and make proper

arrangements that there be one pilot available.

10. A.

There is always at least one pilot available

at all times.

11. Q.

At all times?

12. A.

Yes Sir.

13. Q.

Now, Sir, has your commission issued a

licence to the pilot boat?

14. A.

No, we have issued to the pilots but not to

the pilot boat.

15. Q.

Have you checked to see if she has been

accepted by the Steamship Inspection Service?

16. Q.

17. Q.

18. Q.



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 447

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4A. No. The pilot boat, when I took over, was
5owned by Mr. Doucet for years, and since I have taken over, he
6has purchased a new pilot boat which we have now, and I haven't
7checked that one; it seems to be satisfactory, I don't know....
8I haven't had any complaints, let us put it this way: I haven't
9had any complaints.

10Q. Now, has your commission provided any
11pension scheme or welfare scheme of any nature whatsoever for
12your pilots?

13A. No.

14Q. Do your pilots come under Unemployment
15Insurance?

16A.

17Q. As pilots, mind you?

18A. Not as far as I am concerned.

19Q. Do they benefit from Workmen's Compensation?

20A. No. As far as the commission is concerned,
21they are strictly on their own.

22Q. Now, have you kept any minutes of the meetin
23of the commission?

24A. No, there is no minutes of meetings because
25there has not been any meetings, except the first one when we
26took over in July 1959 where we named Donald Hicks chairman, and
27I was secretary-treasurer, and Léo Arsenault was the other member:

28 But there has not been occasion to form a

29

30



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 448

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meeting since, except telephone calls at times to the chairman,
there has not been anything of a serious nature where it required
the full commission to decide, and it was mostly routine work
which I did as secretary.

Q.

Now, you are a lawyer, and perhaps you have
experience in administration; what do you think of the
administrative system set up here to administrate pilotage?

Do you think it is too bulky? Not adequate? Do you think it
lacks power? Do you think it has powers which are useless?

A. Well,.....at the time I took over, in 1959,
there was so little shipping that it didn't call for any or
more involved measures.

The thing was very simple in a sense that
the pilot takes a ship in and out and you make up the bill and
pay him.

All these things didn't come in the picture,
as you mention: Pension plans and things like that, or rôles
for the pilots; the shipping was never steady enough to really
go into that.

But, that is a very important factor, in
my estimation.

The pilots have been sort of on their own,
as far as the revenues are concerned, it was just a question for
the secretary to see that the service was available, rotate it
or arrange it with the pilots, and it seemed to work that way.

29

30



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 449

1

2

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Shipping increases, we will have to re-arrange the system,
possibly.

7

8

MR. ROBERT KNOWLTON SMITH,

9

Commissioner:

Q.

10

pilots?

Do most of the ships that come here take

11

A.

Yes.

12

Q.

Most of them?

13

A.

Oh yes, all of them.

14

Q.

All of them?

15

A.

Oh yes. It is a very tricky channel, and

16

no one dares come in on their own.

17

18

THE PRESIDENT:

19

You have a pool of three men in the local

20 commission, here, and for the last year, you have not met, except

21 once. Do you think it is necessary to have them, or have they

22 any authority? What do you think of that part?

23

Yes, I think it is a good thing to have

24 them.

25

I may say the reason we haven't met too often

26 is because the secretary is the only one who gets any remuneration

27 although this is not too much, but he does; the other two members

28 receive nothing. They say to the secretary: you do it all.

29

30



A.J. ROBICHAUD,
Inquiry,
EX. - 450

1

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That's the way it has been working. But if something should happen of a serious nature, I think it is wise to have two other men with me to take a decision rather than have one man dictate the whole thing.

Q. As secretary, you are the administrator?

A. Yes.

Q. But they are the ones to pass the by-laws?

A. That's correct.

Q. And take big decisions?

A. For instance, supposing the pilots were not satisfied with the way I was doing certain things, then, they could see the other two members and say. we are not satisfied with the way the secretary is doing it.

They would have some appealable power.

That's the way I feel.

Q. Do you think, after four years, that they know enough of what is going on? They have not been meeting for four years?

A. When I say we didn't meet, formally, but they are chaps I see quite often; the chairman, I talk to him quite often, and he knows ...

Q. He is kept abreast?

A. He is kept abreast, but we possibly should have more meetings, maybe once a year.

28

29

30



A.J. ROBICHAUD,
Inquiry,
EX. - 451

1

2

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4Q.

What do you think of a system whereby all these smaller commissions could be combined into one big commission, let us say, on a provincial basis? Would that be better? With somebody appointed locally to look after the local problems?

9A.

.....I have never given that matter consideration, but it sounds workable.

11Q.

I don't know?

12A.

Yes, you would have to have someone locally on the commission? That's what you refer to?

14Q.

Some central organization for all those smaller ones. It seems to me, at first glance, that you have two men for the last four years, who have not done much.

17

I feel the same pattern is represented in all those small ports.

19

I am just wondering if it would not be worthwhile to bring those small commissions into one big one.

21

It might have more authority, meet more often and take decisions?

23A.

Sort of a district, possibly.

24

Actually, the small ports, that's one reason why the commission didn't meet, there was no need for it, and as secretary, I don't feel I should impose on them.

27Q.

Because I am just wondering what would be their authority if really there was a conflict between shipping interests and the pilots, for instance?

30



A.J. ROBICHAUD,
Inquiry,
EX. - 452

1

2

3

4.

Yes, I wonder about that.

5

The only authority that I can see this
commission has actually is over the pilots. But in a conflict
with the shippers.....

8.

There, you have another problem also that
may arise is the one of discipline. Would a district board we
have just mentioned have more effect on discipline than just a
local board?

12.

I would think so.

13.

If I can draw an example: You have, I don't
know whether it is the same thing here in New Brunswick, but we
have in our local bar, a bar-association, the smaller the bar is
the lesser discipline you have or disciplinary power you have,
effective. Very often, I know, in Quebec, the rural districts,
they pass the buck to the provincial organization. I don't
know whether it is the same thing in your place?

20.

Well, it was the same.

20.

I just wonder if the same thing wouldn't
apply to these small organizations?

21.

I would agree that a district board would
have more effect in discipline than only a local one.

25.

On the other hand, it is not big, and the
problems are resolved more on a family basis, and there is less
friction?

28.

Yes.

29

30



A.J. ROBICHAUD,
Inquiry,
EX. - 453

1

2

3

4 Q.

This is good also?

5

6

MR. ROBERT KNOWLTON SMITH,

7 Q.

What are the tidal conditions here, in this
harbour?

9 A.

10 I am afraid, on that question, I can't say
too much on that.

11

12 The pilots are here, they could tell you,
they know all about the tides.

13 Q.

Do you know the rise and fall of the tide?

14 A.

15 I couldn't tell you; that's one thing I
don't know.

16 Q.

17 Just one other question while I am at it:
Here, you mentioned a charge of \$ 25.00 for handling lines in
docking and undocking ships. As I take it, Mr. Robichaud, it
is not considered that that is part of a pilotage charge at all;
that is a matter of employing labor to do extraneous work to
pilotage?

22 A.

That's right.

23 Q.

And that's why it is not in the by-law?

24 A.

It is separate.

25 Q.

Separate altogether from the pilotage dues?

26 A.

Yes.

27

28

MR. MAURICE JACQUES,

29

Counsel for the Commission:

30



A.J. ROBICHAUD,
Inquiry,
EX. - 454

1

2

3

4Q. Who pays for the stationery, the stamps, the
5telephone?

6A. The pilots, at the end of the year, I charge
7everything to the pilots, they pay for their supplies, I divide
8it fifty-fifty. Stamps are not big charges. The pilots pay it
9all.

10Q. You send them a bill?

11A. At the end of the year, yes. It doesn't
12amount very much, because stationery might do for a couple of
13years.

14Q. Now, would you prepare for the Commission a
15copy of your monthly statements for the last year?

16A. Yes.

17 Q. And I believe this covers the name of the
18ship, the date it was piloted, the tonnage and the money which
19was collected, and the division of the money afterwards?

20A. Yes.

21Q. Would you prepare a copy of that statement
22for 1962?

23A. All of 1962?

24Q. All of 1962. And will you also prepare a
25statement of the account or the bill which is sent to the pilot
26at the end of 1962, for your expenses, giving the break-down of
27these expenses?

28A. I think it is all included in the last
29statement of the year, because I just deduct.



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 455

MR. ROBERT KNOWLTON SMITH,
Commissioner:

Q. Would you mind marking on the chart where
the ballast ground is?

A. I am afraid, Sir, that is out of my domain,
but I have the two pilots here, they will tell you exactly.

THE PRESIDENT:

Q. I note that on your annual financial report
to the Department, exhibit 304, that the number of trips should
really read: number of ships. You have 76 ships in 1962 and
no trips?

A. If I may be permitted...?

Q. Yes, please?

A. The reason it is "trips" because it may be
the same ship making 5 trips.

Q. But, on the other hand, I see on the 1961
report: 59 ships, 118 trips?

A. That may be. I will have to.....

Q. I notice also you missed the first line at
the top of the report: number of vessels?

A. Yes, I was going by the number of trips.

The reason I say this, we have, like Irving
Oil comes here with a big tanker, where we are now, and a small
tanker makes maybe 10 trips to unload. So, you count it as one
ship; it is one ship making 10 trips.



A.J. ROBICHAUD,
Inquiry,
EX. - 456

1

2

3

4

MR. MAURICE JACQUES,

5

Counsel for the Commission:

6 Q.

10 pilotages in and 10 pilotages out?

7 A.

Yes, it is the same; I could count them as
8 10 ships, also.

9 Q.

Would that information appear in your monthl
10 statement?

11 A.

Yes, it is the numberIrving Wood 10
12 times, sometimes twice a day, for instance.

13 Q.

Now Sir, before you go, is there anything
14 that you wish to say as regards pilotage, and to your knowledge,
15 are there any facts which have been left out of your examination?

16 A.

.....

17

THE PRESIDENT:

18

19 Q.

I think I would like to have some
enlightenment on the trade here. Apart from the tree companies,
20 we have heard also that there are some shipments of ore. What
21 do you know about that?

22

23 A.

Well, ore comes from Bathurst, and fortunate
some claim the ore would be shipped out of Dalhousie port.

24

That is something we would like to come out
25 of this port.

26

27 Q.

Do you think it is too shallow for that?

28 A.

Yes, but I think there could be some facilit
29 made on the outside of the points.

30

30



A.J. ROBICHAUD,
Inquiry,
EX. - 457

1

2

3

4 Q.

Alliston point or Caron point?

5 A.

Or Caron point, just along there.

6 Q.

In order to have that?

7 A.

8 You will have that, and you will have a
longer shipping season.

9

10 Many times, inside, it is frozen, but right
out here, you can come. I think, last year, you could have been
11 out in January.

12

13

MR. MAURICE JACQUES,

14

Counsel for the Commission:

15 Q.

16 It is ice-free just outside the entrance of
the harbour?

17 A.

18 Not all the time, but average time, I would
say, except for possibly January and February, maybe two months
19 out of the year.

20 Q.

Is anything being done about that?

21 A.

22 The Board of Trade, the Town-Council, - as
a matter of fact, there is a delegation going to Ottawa today,
23 the Board of Trade, the Town-Council, the Gloucester Municipal
Council, on this shipping of ore from Dalhousie.

24 Q.

25 Is it very far inland from that point you
have just mentioned?

26 A.

To the mines?

27 Q.

Yes?

28 A.

Approximately twenty miles.

29

30



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TORONTO, ONTARIO

A.J. ROBICHAUD,
Inquiry,
EX. - 458

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Q. So, it would have to be shipped by rail
anyway to the sea?

A. Oh yes, it couldn't be shipped from the
mine; it could be trucked, if there was a port here.

I just don't know too much about the mines.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above evidence
is a true transcript of my shorthand
notes.

G. OSCAR BOISJOLY,
Court Reporter.



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

C A N A D A

1

2

3 ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

4

5

6 PRESENT: HONORABLE YVES BERNIER, J.S.C.

7

Commissioners:

8

ROBERT KNOWLTON SMITH, Esq.

9

HAROLD ALEXANDER RENWICK, Esq.

10

MR. MAURICE JACQUES, Attorney.

11

12

ON BOARD S.S. C.D. HOWE, Bathurst,

13

4:30 P.M.

14

15

16

On the twenty-first day of May, the year

17

nineteen hundred and sixty three:

18

19

ALLIE J. DOUCET, age 54, being duly sworn

20

on the Holy Evangelists, doth depose and say:

21

22

EXAMINED BY MR. MAURICE JACQUES,

23

Counsel for the Commission:

24

How long have you been a pilot in Bathurst?

25

Since 1944.

26

Since 1944. You are the owner of the pilot

27

boat, are you not?

28

Yes Sir.

29

30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 460

1

2

3

Q.

How long have you had her?

A.

This one I have now, this is her second
season.

Q.

How much did you pay for her?

A.

The hull only, \$ 1,200.00, and I finished
her.

1Q.

You finished her yourself?

1A.

Yes Sir.

1Q.

What equipment did you place in her?

1A.

Everything: five shafts, propeller, two
bilge-pumps, life-jackets, rudder and steering apparatus.

1Q.

Engin?

1A.

Engin.

1Q.

And, do you have any equipment on her such
as radio-telephones, radar?

1A.

No, we have nothing like that, because
ashore, we have no station ashore; no use having one on your
boat if you have none ashore. With the ship, you could have
one, it would cost a lot of money.

23

If it is required, I could always get one.

2Q.

And with all the equipment that you
installed on your boat, how much would she be worth?

2A.

Around \$ 4,000.00.

2Q.

\$ 4,000.00 equipment?

2A.

The engin alone costs me \$ 1,700.00, a

29

30



A.J. DOUCET,
Inquiry,
EX. - 461

1

2

3

propeller, every year, around \$ 75.00; we knock a propeller
every year with the pulpwood and stuff.

Q.

Service?

Is she inspected by the Steamship Inspection

A.

No, she is not.

Q.

by the pilotage commission?

And the last boat you had was inspected

A.

Exactly.

Q.

boat has ever gone through?

And this was the only inspection that your

A.

That's right.

Q.

every ship, would it cover all your expenses and depreciation?

Would the boat fee of \$ 15.00 which is charge

A.

but for \$ 10.00 every ship, I furnish the gas, oil, and all
repairs, plus the purchase of the boat and equipment...

Well, through a number of years, it would,

THE PRESIDENT:

Q.

Every ship, you mean: two trips?

A.

take the pilot aboard the ship, and take the pilot off the ship
for that fee, for \$ 30.00.

You have got to go out, take the pilot boat,

MR. MAURICE JACQUES'

COUNSEL FOR THE COMMISSION:

For \$ 30.00. And that doesn't cover your

expenses?

30



A.J. DOUCETAUD,
Inquiry,
EX. - 462

1

2

3

4. Not too well.

5. Do you use your boat for any other work?

6. No, not now; when I was the buoy contractor here, I used it as the buoy boat.

7. So, now, you are piloting only?

8. Piloting.

9. But you operate at a deficit?

10. I think, if I was to figure all the expenses and repairs, I would be at a loss, yes.

11. Do you fish with your boat?

12. No.

13. Now, Sir, would you describe how you take a ship into Bathurst? Where would you board the ship?

14. As a rule, about a mile and a half, two or three miles from the fairway buoy.

15. Which is shown on chart 4413 which will be filed as exhibit no. 305. And what do you do when you are on board the ship?

16. What orders I give?

17. Yes?

18. First, we give orders to raise anchor.

19. The ship is anchored off the buoy?

20. The ship is always anchored off the buoy, yes.

21. You have to come in off the deck?

29

30



A.J. DOUCET,
Inquiry,
EX. - 463

1

2

3

A. A trade-ship, we do.

Q. And what do you do on the bridge of the ship?

A. We take full charge; there is the captain, as a rule, and the second mate and the wheelsman, sometimes the third mate or just an officer standing by, and then we give him the order: Slow ahead, or half ahead.

Q. You give the order direct to the wheelsman?

A. Direct to the wheelsman. The captain

repeats them sometimes, sometimes the mate repeats them.

13 Then, we have a set of ranges, as you note
14 here.

Q. You refer to the range-lights on Caron point?

A. That's our first run.

Q. Now, is there any current which would affect
18 your ship?

A. At times, yes.

Q. Where?

A. You take like if you are taking in a ship
22 not too heavy, not too much draft, you have to be very careful
23 like between the two points here.

Q. Caron point and Alliston point?

A. Yes, that's quite a range, sometimes four
26 or five knots.

Q. Four or five knots current?

A. Yes, at times.

29

30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 464

1

2

3

Q.

4 tide?

A.

Q.

A.

Q.

10 A.

11 Q.

12 A.

13 to here, and you have a set of ranges.

14 Q.

15 A.

16 her starboard till we hit the ripple bar.

17 Q.

18 A.

19 to these ranges.

20 Q.

21 A.

22 Q.

23 A.

24 on the range.

25 Q.

26 A.

27 we don't take a large vessel in at night.

28 Q.

29

30

And what would be the rise and fall of the

We have from three and a half to none.

Three and a half feet?

Yes.

All right, now, once you get inside...

In here, now?

Yes, inside Caron point?

This is all buoy navigation till you get up

"to here" what do you mean?

The ripple bar is the first one; we keep

That's off the rear range on Caron point?

Yes, we have a set of ranges there, adjacent

Is it not lit at night?

No.

These ranges are not indicated on the chart?

No, they are not here. We hang a lantern

You hang a lantern on the range at night?

Yes, if you have to take a small vessel;

What do you mean: a small vessel?



A.J. DOUCET,
Inquiry,
EX. - 465

1

2

3

4A.

Somewhere around 500 tons, net.

5Q.

500 tons net?

6A.

That's these shuttle-vessels, Irving's.

7

We never take in a foreign ship at night.

8Q.

And inside, is there any current?

9A.

Oh yes, there is.

10Q.

What would be its speed and direction?

11A.

Well now, you will have it running - it

12 runs the same as channel does.

13Q.

It runs the same as the channel?

14A.

In and out.

15Q.

In and out?

16A.

It has to follow.

17Q.

And it reverses with the tide?

18A.

That's right.

19Q.

And what would be the speed of that current?

20A.

Like now, with the freshet on, you would hav

21 as high as four or five knots.

22

MR. ROBERT KNOWLTON SMITH,

23

Commissioner:

24

Q.

What is the rise and fall of the tide?

25

A.

From three and a half to seven.

26

27

MR. MAURICE JACQUES,

28

Counsel for the Commission:

29

30



A.J. DOUCET,
Inquiry,
EX. - 466

1

2

3

4Q. What about the freshet season; does that
5last a long time?

6A. No, another two weeks; as soon as the snow
7melts down to the water.

8Q. When does it start?

9A. It starts as the snow first melts.

10Q. That's approximately when?

11A. About the latter part of March; the first
12would be in April.

13Q. Do you take ships induring the freshet
14season?

15A. Yes, we do.

16Q. Any size of ship?

17A. Any size.

18Q. All right, now we are inside the harbour,
19and we have come up...

20A. We had a set of lights here. We had a set
21of lights here, on Alston point, here, up to the ballast bar.

22Q. Indicated on the chart as "ballast channel"?

23A. Yes, we have a bar right here, and then
24we have a set of ranges over here.

25Q. A set of ranges on Carron point?

26A. One is right up there, and the other one is
27here.

28Q. And when you take a small ship in at night,
29do you have to go and hang lanterns on these ranges?

30



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 467

1

2

3

4A. There is one, this set here, the Bathurst
5Power and Paper put a set of ranges on that.

6Q.

When was that?

7A.

A few years ago, for their own use, but I
8use them.

9Q.

They are not indicated on the chart?

10A.

No, it is privately owned by Bathurst Power
11and Paper. That's all we have.

12

THE PRESIDENT:

13

14Q.

Are they always lit at night?

15

16A.

I look after them, I go down and put them
on, with the car.

17

MR. MAURICE JACQUES,

18

Counsel for the Commission:

19Q.

Then, what do you do?

20A.

Then, we run these ranges till we hit these
21shoals.

22Q.

Doherty channel, indicated on the chart.

23

Yes, continue.

24A.

And on from there, we have another set of
25ranges here. It is not exactly ranges, just a building sitting
26right here.

27Q.

On a place marked "the forks"?

28A.

And a clump of trees way back in the woods.

29

30



A.J. DOUCET,
Inquiry,
EX. - 468

1

2

3

4 Q. Upper town. What happens at night? You
5 wouldn't see the trees at night?

6 A. No, we put a lantern on the buoys.

7 Q. There is a black buoy at the turn called
8 "the forks". This buoy is not shown on the chart?

9 A. Yes.

10 Q. And you say you go out to put the lantern
11 on the buoy?

12 A. My boatman does; I go myself, sometimes.

13 Q. And then, what do you do when you have
14 reached the forks?

15 A. Then, we have a lantern on the Bathurst
16 Power and Paper wharf, we use that as a range.

17 Q. Who looks after all these lanterns?

18 A. My boatman.

19 Q. Have you ever requested the Department of
20 Transport to install ranges and lights?

21 A. Many times.

22 Q. What happened?

23 A. They had an austerity programme, the last
24 time I heard about it.

25 Q. You didn't get your ranges?

26 A. No, we didn't get them.

27 Q. Do you find that this system of carrying
28 lanterns around is very good?

29

30



A.J. DOUCET,
Inquiry,
EX. - 469

1

2

3

4A. No, it is not very good, with a bunch of
5 lanterns in the pilot boat, it is not very safe.

6Q. And when the ship is being taken in and
7 docked, do you go out and pick-up all the lanterns again?

8A. No, we leave them to go back out again.

9Q. I see. And this current in the harbour,
10 inside Carron point, does it affect your handling of the vessels
11 very much?

12A. At times, there is some ships which handle
13 better than others, but there is some ships handled, as you
14 know, don't handle as good; sometimes, there is a little
15 difficulty.

16Q. Has there ever been any grounding in the
17 harbour?

18A. I grounded one last Summer.

19Q. What was her size?

20A. The Irving Wood, 1,654 net or 1,659 net;
21 she was loaded.

22Q. What was the cause of the grounding?

23A. Well, he changed wheelsman just at the time,
24 and he never told me, and that's as I was making a turn between
25 the two points here.

26Q. Between Carron point...

27A. And Alston.

28Q. And she grounded?

29

30



ANGUS. STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 470

1

2

3

4 A.

She hooked, yes.

5 Q.

How was the weather, then?

6 A.

Fine, very fine.

7 Q.

How was the current running?

8 A.

Just high tide, just at the top of the tide;

9 there was no current at all.

10 Q.

Was there much damage done to the ship?

11 A.

No damage done whatsoever.

12 Q.

How long did she remain on the ground?

13 A.

About four hours.

14 Q.

How did you unground her?

15 A.

She came off herself.

16 Q.

With the rise of the tide?

17 A.

Yes, with the rise of the tide.

18 Q.

There was a little tide left?

19 A.

No, the tide fell and came up again.

20 Q.

The second time it came up?

21 A.

Yes, it just came up part way , and the

22 ship floated.

23 Q.

That was one grounding last Summer?

24 A.

Yes.

25 Q.

Was that the only accident last Summer?

26 A.

Yes, I think it was; I don't think Mr.

27 McClean had any trouble.

28 Q.

You had one?

29

30



A.J. DOUCET,
Inquiry,
EX. - 471

- 1
- 2
- 3
- 4A. I can't answer for him.
- 5Q. And the year before last, did you have any
6accident?
- 7A. I don't think, no, I didn't have any.
- 8Q. You didn't have any?
- 9A. No.
- 10Q. When you dock your ships, do you have
11tugboats?
- 12A. No, no tugs.
- 13Q. No tug at all?
- 14A. No.
- 15Q. Do you have to turn them around inside?
- 16A. Yes Sir.
- 17Q. How do you turn them around?
- 18A. With the rising tide, we stem the dock with
19the engin and the rudder at port, and stem them around.
- 20Q. And you turn them around?
- 21A. Yes.
- 22Q. Before becoming a pilot, had you had any
23experience on ships?
- 24A. I was with my father for the best part of
25my life, all but eight years.
- 26Q. And what was your father doing?
- 27A. He was a pilot.
- 28Q. This is where you learned your trade?
- 29
- 30



A.J. DOUCET,
Inquiry,
EX. - 472

1

2

3

4A.

This is where I learned my trade.

Q.

Going aboard ships with your father?

A.

With my father, yes.

Q.

How many years did you go with your father?

A.

Oh Gosh.....I was only a kid, probably ten,
twelve years old.

10Q.

And how old were you when you first took
your first ship in?

12A.

In 1944. I am 54. You figure it.

13Q.

20 years ago. And previous to that, you
had been going out with your father?

15A.

I was always with him.

16Q.

You were always with him?

17A.

Yes.

18Q.

Do you have any certificate of any kind,
say as master of a tugboat?

20A.

No.

21Q.

None at all?

22A.

Nothing.

23Q.

So, the only training you had was taking
ships in and out with your father?

25A.

Exactly, yes.

26Q.

Are you able to say whether the majority of
the ships you take in come in at night or during daylight hours?

28A.

During daylight hours.

29

30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 473

1

2

3

Q. During daylight hours?

A. Yes.

Q. You said that you took small ships in at night?

A. Yes Sir.

Q. And you also mentioned they were tankers?

A. Yes Sir.

Q. Would you explain why you take those small ships in at night and not the others?

A. Well, they are small ships, and the Irving Oil representative takes all responsibility.

Q. Have you got that in writing somewhere?

A. No, no writing. They have a shore captain that stays in Bathurst while we are handling these ships.

Q. Now, I believe the small tankers are used when a large tanker comes here and anchors off Bathurst, and they are used as lighters to shuttle back and forth?

A. That's right, Sir.

Q. How many years has this been going on?

A. This is the third year.

Q. The third year?

A. Yes Sir.

Q. And how many trips in the harbour, how many trips would you make with the small tanker?

A. Sometimes 16 and sometimes 17, sometimes 12.

Q. It depends on the size.

30



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 474

1

2

3

Q.

trips?

A.

Q.

A.

Q.

10A.

the wind.

12Q.

that one, during those five days?

14A.

15Q.

do any piloting also?

17A.

18Q.

a ship inside?

20A.

21Q.

22A.

23Q.

24A.

25Q.

26A.

27Q.

your boat to meet the ship?

29

30

And how long would it take to do all these

The last time, I was five days on a shuttle.

You did about 16 trips in five days?

No, the last time, I made 12.

12 trips in five days?

Yes. We were hung up one day on account of

Did you pilot any other ships apart from

Yes, I piloted the Irving Sea Conch.

And during those five days, did Mr. McLean

Yes Sir.

He did. How long does it take you to take

From here to go in, about an hour.

An hour?

About an hour.

And going out?

About the same.

About the same?

About the same.

How long does it take you to go out with



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A.J. DOUCET,
Inquiry,
EX. - 475

- 1
- 2
- 3
- 4A. From the dock out here, three quarters of
5an hour, that is an average; sometimes half an hour.
- 6 We took half an hour this time to come out.
- 7Q. What is your busiest month?
- 8A. It just depends; I think that this year,
9the month of May will be the busiest because we have 20 boats
10already shuttled in Bathurst.
- 11Q. Since when?
- 12A. Since May 4th.
- 13Q. How many jobs did you do since May 4th?
- 14A. You mean, how many ships? Twelve.
- 15Q. Is that twelve in and twelve out?
- 16A. That's right, twelve ships, I handled twelve
17ships.
- 18Q. That's twenty-four jobs?
- 19A. Yes.
- 20Q. Do you do any movage apart from that?
- 21A. Sometimes we do, yes.
- 22Q. How long does it take you to make a movage?
- 23A. If you are moving from one dock to the other
24it takes approximately one hour.
- 25Q. About one hour.
- 26A. Yes.
- 27Q. Did you ever take ships up to New-Bathurst?
- 28A. Up in here? Yes.
- 29
- 30



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 476

1

2

3

4Q. You did?

5A. Not now, we don't; Irving Oil has anchors
6in here.

7Q. Indicating the dock at New-Bathurst, which
8is on chart 4413?

9A. Yes. They done away with that now; we
10don't go there anymore.

11Q. When have you stopped going up there?

12A. About four years ago.

13Q. Four years ago?

14A. Yes.

15Q. There is nothing going there now?

16A. The only thing goes there is the Bathurst
17Power and Paper.

18Q. Now, do some ships come in without pilot,
19here?

20A. No.

21Q. What about the small coastal vessels?

22A. They always ask for a pilot.

23Q. Would you recall the name of some of the
24smaller coastal vessels which came here last year?

25A. Let us see, now.....mostly all Irving,
26last year.....just a minute.....it was only Irving, last year;
27there is no other coaster that I can recall.

28

29

30



A.J. DOUCET,
Inquiry,
EX. - 477

1

2

3

4Q.

5time?

6A.

7Q.

8A.

9Q.

10lot of water underneath your ship?

11A.

12a ship, and I had six inches underneath the ship.

13Q.

14A.

15loaded, it didn't have anymore than that.

16Q.

17would ships load here?

18A.

19Q.

20A.

21little deeper. As a rule, we try to have them at 18.6.

22Q.

23trouble going out?

24A.

25have too much trouble.

26Q.

27like that?.

28A.

29

30

Do they have the same master all of the

Mostly all of the time.

Doesn't the master get to know the place?

Yes, but he wouldn't take a chance to go in.

What about depth of water? Have you got a

Well, sometimes, yes, I have come up with

Is that frequent?

Quite often; I think there is one came out

In the majority of cases, to what draft

18.6

Is that the maximum?

That's what we get. Sometimes, they go a

When they are leaving, do you have any

Sometimes, but most of the time, we don't

Would there be any damage when they touch,

Never. It is all mud and sand.



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 478

1

2

3

Q.

4

loaded ships in?

5

A.

6

17.6.

7

Q.

8

A.

9

Bathurst Power, and their agent tells them what draft the ship
10 should have.

11

Q.

12

pay the master to pilot his ship?

13

A.

14

Q.

15

A.

16

Q.

17

A.

18

19

THE PRESIDENT:

20

It is not required from you by the master,
21 sometimes?

22

A.

No.

23

24

MR. ROBERT KNOWLTON SMITH,

25

Commissioner:

Q.

26

witness, my Lord: Have you any suggestions to make with regards
27 to what you think could be done to improve this pilotage district?

28

29

30



A.J. DOUCET,
Inquiry,
EX. - 479

1

2

3

4 A.

Yes, I have a few suggestions:

5

6

7

8

9

10

11

12 Q.

13

14 A.

15

16

17

18

19

20

21

22

23

24

25

26

27

28

29

30

MR. MAURICE JACQUES,

Counsel for the Commission:

Why is that, Sir?

Well, there is cases, we have it with the

Bathurst Power and Paper, they had an agent by the name of Bob

Fleet that was notified when ships were coming to Bathurst, and

he in turn notified the stevedore, and the stevedore inturn

notified the pilot.

I don't think that's right.

Was the ship delayed?

No, I don't think the ship was delayed.

How much notice do you require?

An hour.

An hour. Now, would you have any suggestion

as regards aids to navigation, here?

Yes, we would like to have some lights on

our ranges, shore lights put up. That would helps us a great

deal.

What about dredging?



A.J. DOUCET,
Inquiry,
EX. - 480

1

2

3

4 A. We did have dredging, in the past years.

5 There is a dredge comes in sometime next month.

6 Q. And where is the dredging done?

7 A. Most of it is done up around the mill.

8 Q. Why?

9 A. There is a lot of stuff going out of the
10 mill that shouldn't go in the harbour: bark, stock.

11 Q. Is silts up?

12 A. It silts up. Mostly stock from the mill.

13 Q. Do ships ever ground when they go there?

14 A. Yes Sir.

15 Q. Do you warn the masters that the ship will
16 ground when you take them there?

17 A. Yes Sir, I do.

18 Q. Is there any damage done to the ship?

19 A. To the pumps.

20 Q. To the pumps?

21 A. Yes.

22 Q. Now, is there any dredging done in the
23 channel leading seaward?

24 A. Every year, little spots here and there th
25 fill in.

26 Q. And could you indicate those spots on the
27 chart?

28 A. Well, Mr. McLean will give you more
29 indications on this; he was with the dredge.

30



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 481

1

2

3

4 Q.

Last year, how many trips did you make?

5 A.

6 count of it. I made quite a few.

7 Q.

Could we trace that anywhere?

8 A.

Yes, with the commission.

9 Q.

With the commission?

10 A.

11 that I pilot.

12 Q.

But you have a little black book?

13 A.

14 away.

Yes, this year. Last year, I put that one

15 Q.

You haven't got it for last year?

16 A.

No.

17 Q.

Why?

18 A.

Personal reasons.

19 Q.

20 reasons?

Well, I would like to have an idea of those

21 A.

Not today.

22 Q.

Why not?

23 A.

24 this, I am sorry.

.....I don't answer. I have no answer for

25

THE PRESIDENT:

26

That's all right.

27

28

MR. MAURICE JACQUES,

29

Counsel for the Commission:

30



A.J. DOUCET,
Inquiry,
EX. - 482

1

2

3

Q.

Have you got an apprentice pilot, now?

A.

Yes Sir.

Q.

You do. What is his name?

A.

Murrey McClean.

Q.

He is your boatman?

A.

That's right. That's where we start, from

the boat.

Q.

You start from the boat?

A.

That's where I started.

Q.

Who chose him?

A.

I did.

Q.

Did politics intervene in this choice?

A.

Oh, a little; quite a bit, yes.

Q.

How does it affect the choice?

A.

He wasn't.....He didn't get his apprenticeship

as a pilot as yet, but I think he will very soon.

Q.

How do politics come into that?

A.

Well now, I don't think I should say that.

Q.

Why not?

A.

That is political reasons again.

Q.

I think we ought to know?

A.

We are not discussing politics now, pardon

me.

Q.

Just a minute, let me ask the questions?

A.

O.K. Sir.

29

30



A.J. DOUCET,
Inquiry,
EX. - 483

1

2

3

4 Q.

5

6

7

8 A.

9

10

11 Q.

12

13

14

15 Q.

16

17 A.

18

19

20

21

22 Q.

23 A.

24

25

26 Q.

27

28

29

30

I think the Commission should know whether the choice of men who are entrusted with valuable property depends on skill and qualifications or politics, and I would like to know how politics interfere with the choice?

I recommended him, and he received no appointment as yet, but he will in the near future.

That's all I can answer on that.

Would the Commission wish to pursue this further?

MR. HAROLD ALEXANDER RENWICK,
Commissioner:

I am wondering how the witness knows he will get the appointment?

Well, I think there is a change of Government as far as I heard.

MR. MAURICE JACQUES,
Counsel for the Commission:

There has been?

And there is supposed to be a new commission appointed, a pilot commission, and this was discussed with the new commission - the new presumed commission, I should say.

Now, you have been on this job a long time, and during those years, we have had several changes of Government are you able to say whether the commission was changed every time there was a change of Government?



A.J. DOUCET,
Inquiry,
EX. - 484

1

2

3

4A.

5Government since I have been here, if I remember rightly.

6Q.

1944.

7

THE PRESIDENT:

8

9Q.

10commissioners have been appointed in 1959, I think?

11A.

12conservative commission. I was appointed by the liberal

13commission.

13

14

MR. MAURICE JACQUES,

15

Counsel for the Commission:

16Q.

You were appointed by the liberal commission

17A.

Yes.

18

THE PRESIDENT:

19

20Q.

21be shy, because we are not representing any party, we are the

22Government of Canada?

23A.

Yes. I represent the Liberal party.

24

25Q.

But it is not necessary for piloting?

26

27A.

Well, sometimes it is.

28

29

MR. MAURICE JACQUES,

30

Counsel for the Commission:

28

29

30



A.J. DOUCET,
Inquiry,
EX. - 485

1

2

3

4Q. You think liberals make better pilots than
5the conservatives?

6A. No, they don't, no.

7Q. Well, could you honestly and truthfully
8say that your apprentice is qualified to be a pilot here?

9A. He should be by now, in 18 years. In 18
10years, if he was not good, he wouldn't be there.

11Q. How many trips does he make with you every
12year, or with your colleague, on the ship?

13A. You mean, the apprentice?

14Q. Yes?

15A. He has made, last year, he has made 2 or
163, but he has taken in two ships on his own, two small ones.

17Q. What size?

18A. That's the Irving Hileah, 500 tons net.

19Q. Was the master advised that the man who was
20supposed to pilot his ship was not a pilot but an apprentice?

21A. Yes, he was.

22Q. Did the master object?

23A. Not a bit.

24Q. And that was last year. The year before,
25how many ships did he take?

26A. The apprentice pilot?

27Q. Yes?

28A. He didn't take in any.

29

30



A.J. DOUCET,
Inquiry,
EX. - 486

1

2

3

4Q.

5of the place?

6A.

7He has been fishing for the best part of his
8life, and he has been around with me in the pilot boat for the
9last four or five years.

10Q.

11And what does he do in the pilot boat to
12become familiar with the river?

13A.

14Well, he is with the pilot most of the time,
15he is ahead of the ship at night, I put him ahead of the ship,
16I send him ahead of the ship.

17Q.

18With the pilot boat?

19A.

20Lit up, yes; and that's pretty good
21experience for him, I think.

22Q.

23Has he ever docked any ship on his own?

24A.

25Yes, two.

26Q.

27And were you there when he docked the ship?

28A.

29No Sir, I wasn't.

30Q.

31Did you see him from anywhere, dock the
32ships?

33A.

34No, I wasn't in Bathurst at the time.

35Q.

36You were not. To the best of your knowledge
37was there any accident to those ships?

38A.

39None.

40Q.

41So, you feel he is quite qualified to become
42a pilot?

43A.

44I do.

4530



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 487

1

2

3

4Q.

Now again, honestly and truthfully, is the
only thing preventing this man from becoming a pilot, politics?

5A.

I can't answer that.

6Q.

Why?

7A.

Because, as I said before, the commission
is conservative.

8Q.

And he is a liberal?

9A.

I never asked the man what he was.

10Q.

This sounds rather strange to me, now. You
say that politics intervene in the choice of pilot, and according
to what you have just said, apparently politics don't intervene?

11A.

I am not committing myself.

12Q.

Sir, I have to remind you that you are here
to answer questions.

13A.

Yes, but I am not going to commit myself in
politics.

14Q.

Just a minute. I wish to remind you that
you are under oath, and that you can be forced to answer questions
and I repeat my question...

15A.

Well, sir, if you want me to resign, I will
resign now.

16Q.

Just a minute; I am not asking you to
resign.

17A.

I don't want to put politics in this.

18Q.

Would you honestly and truthfully say that
only politics, liberal or conservative, I don't care, only
politics prevent this man from becoming a pilot?



A.J. DOUCET,
Inquiry,
EX. - 488

1

2

3

4A.

5

6Q.

7

8A.

9

10

11Q.

12

13A.

14

15

16

17Q.

18A.

19

20Q.

21A.

22

23

24Q.

25

26A.

27

28Q.

29A.

30

All I will answer to that: If the liberal
commission takes over, he goes on as a pilot.

So, I am right in concluding that politics
prevent that man from becoming a pilot?

.....

THE PRESIDENT:

In other words, you would have no chance
now, with the present commission?

I have no chance with the present commissio

no.

MR. MAURICE JACQUES,

Counsel for the Commission:

Did you say "he" or "you" have no chance?

Well, him and I, because I am the one that

recommended him.

You have no chance with the present commissi

I don't see any.

THE PRESENT:

Do you meet the local commission very

often?

The only time I met them is when I take my
returns from the ships.

What do you mean? The three commissioners?

That's right, but I only meant one.



A.J. DOUCET,
Inquiry,
EX. - 489

1

2

3

4 Q.

The secretary?

5 A.

The secretary.

6

MR. MAURICE JACQUES,

7

Counsel for the Commission:

8

9 Q.

Now, can you say that you have suffered
any injustice through the present local commission?

10

11 A.

.....The only injustice, you find that the
commission doesn't, as I said before, doesn't notify the pilot
when the ship is coming, and I think they should, I think that's
the commission's job, that's what they are appointed there for,
as I feel they are.

15

16 Q.

Has this failure caused you any inconvenience

17

18 A.

In a way it has, yes.

19

20 Q.

Which way?

21

22 A.

Well, I think if you are a pilot for 18
years, and you have another man for 5 or 6, I think the senior
pilot should have the privileges. Don't you?

23

24

THE PRESIDENT:

25 Q.

For what?

26 A.

He should be notified of the ship.

27 Q.

As a master pilot?

28 A.

As a master pilot.

29

MR. MAURICE JACQUES,

30

Counsel for the Commission:

31

32



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 490

1

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Q.

pilot?

A.

Commission.

Q.

suffered any other injustice?

10.

10 Robichaud, but one other commissioner has things straightened
12 out.

10.

14.

19 ne time.

10.

14.

18 don't know; I felt it was, maybe.

19

20

Q.

21

boat?

22

A.

23

24

25

20.

24.

20.

29

30

So, you feel that you should be a master

Well, that's left entirely up to the

Apart from this inconvenient, have you

No, not injustice, no, not with Mr.

And what were those things?

They wanted to take my pilot boat off at

Why?

As I said before, I think it is politics;

THE PRESIDENT:

They wanted to replace it by somebody else's

Yes.

MR. MAURICE JACQUES,

Counsel for the Commission:

And that is one thing?

Yes.

Apparently, they didn't succeed?



A.J. DOUCET,
Inquiry,
EX. - 491

1

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4 A.

5

6

7 Q.

8 A.

9 Q.

10 A.

11

12 Q.

13

14 A.

15

16

17

18

19 Q.

20 A.

21 Q.

22 A.

23

24 Q.

25

26 A.

27

28

29

30

No, because the other two commissioners didn't think that was right, and they are in my favour. That's the point. My boat was inspected.

By the commissioners?

Not Mr. Robichaud, the other two.

And was it found satisfactory?

It was found satisfactory. The following year, I got a new boat.

Now, that's one thing. Is there anything else?

Well, as Mr. Robichaud said a while ago, we agreed that all money was to be divided equally.

There was two ships piloted last Fall that the money went through the pilot commission, and I got no money for these ships.

Where did it go?

You will have to ask Mr. Robichaud.

That was last Fall?

That was last Fall when I went to my brother's funerals in Quebec.

Would you recall the names of these two ships?

One was the Pooler Fisher, a dragger; the other one was the Burchton, a barge. She came in with a tug, and they requested a pilot.



A.J. DOUCET,
Inquiry,
EX. - 492

1

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4Q. She is tied up inside, now?

5A. Yes.

6Q. When were they piloted?

7A. It was in December; the real date, I don't
8know; in December.

9Q. And you were away at the time?

10A. I was away at the time.

11Q. And you claim that you did not receive 50%
12of that pilotage?

13A. I received nothing.

14Q. You received nothing?

15A. No.

16Q. Now, Mr. Robichaud tells us that every
17month he gives each pilot a statement of the ships piloted
18and a distribution of money?

19A. Yes.

20Q. In your December statement, were these two
21ships shown?

22A. No, they weren't.

23Q. They were not. Would you know who piloted
24these ships?

25A. Yes Sir.

26Q. Would it be your colleague, here?

27A. Yes Sir.

28Q. And you are quite sure that the names of
29these ships do not appear in last year's statement?

30



A.J. DOUCET,
Inquiry,
EX. - 493

1

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4.

I am positive, Sir.

5

THE PRESIDENT:

6

Q.

What about the pilot boat for those ships?

7

A.

He didn't use my boat.

8

9

MR. MAURICE JACQUES,

10

Counsel for the Commission:

1Q.

Did you discuss that with your boatman?

1A.

Yes, I discussed it with my boatman.

1Q.

Did you ask your boatman whether he had

1A taken the pilot out for those two ships?

1A.

Yes, I asked him.

1Q.

So, there was no money received for the

1A boat charge either?

1A.

No money received for the boat charge, no

1A money received for the boatman.

2Q.

Now, Sir, I will ask you one question, that

2A is something which you must prepare and send the Commission: I

2A should like to have from you the number - not of ships that you

2A have piloted, but the number of trips you made last year?

2A.

I haven't got them.....I can give a rough

2A guess, but I haven't got the exact number.

2Q.

What is your rough guess?

2A.

About 45.

2Q.

Is that 45 ships?

29

30



A.J. DOUCET,
Inquiry,
EX. - 494

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4A. 45 ships.

5Q. 45 ships?

6A. Yes.

7Q. That would be how many trips?

8A. Just a minute, now...On two tankers alone,
9I made 33 trips, I made 17 on one and 16 on the other.

10 I am just putting in a few more to make
11the 45.

12 I wouldn't say that's accurate, now, just
13roughly.

14Q. That is 45 trips.

15A. 45 trips, yes.

16Q. 45 in and 45 out?

17A. No, sorry, I made 16, I took 16 boats in
18loaded, I took them out, that would be 32 trips for one ship
19and 17 for the other.

20Q. So, that is 34 and 32, that is 66?

21A. Yes, trips in and out.

22Q. And how many other trips would you have
23done?

24A. Too bad you don't ask me that at home;
25I could have got that statement with me, the statement Mr.
26Robichaud gives me, my name is on it.

27Q. Do you compare that statement with the
28entries you make in your little black book?

29A. Yes.

30



A.J. DOUCET,
Inquiry,
EX. -495

THE PRESIDENT:

Q. And do they agree?

A. Oh yes, they agree.

MR. MAURICE JACQUES,

Counsel for the Commission:

Q. So, in that little black book, you enter
the date and the name of the ships you take in or out?

A. Yes Sir.

Q. You may enter anything else, but I am not
interested?

A. Anything that goes there. That's not
women, that's number.

Q. It could be women, I have no objection.

And you have destroyed that little black book?

A. No, the wife destroyed it.

Q. Then, Sir, I think I will get the names I
want from the record of the secretary; I won't ask you to
trouble with all that. When the apprentice pilot made his
two trips, when he took the ships in, was there a pilot with
him?

A. No.

Q. He was alone?

A. He was alone.

Q. Completely alone?

A. Yes.

29

30



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TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 496

1

2

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4Q.

boat to see how he was doing?

6A.

7Q.

8A.

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But, didn't you watch him from your pilot

I couldn't watch him, I was in Quebec.

Nobody else was watching him?

Not that I know of; I wasn't here.

AND FURTHER DEPONENT SAITH NOT.

I, the undersigned, Court Reporter,
hereby certify that the above evidence
is a true transcript of my shorthand
notes.

G. OS CAR BOISJOLY,
Court Reporter.



1

2

3 ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.

4

5 PRESENT: HONORABLE YVES BERNIER, J.S.C.

6

Commissioners:

7

ROBERT KNOWLTON SMITH, Esq.

8

HAROLD ALEXANDER RENWICK, Esq.

9

MR. MAURICE JACQUES, Attorney.

10

11

ON BOARD S.S. C.D. HOWE, Bathurst,

12

4:30 P.M.

13

14

15

16

On the twenty-first day of May, the year
nineteen hundred and sixty three:

17

18

19

EDGAR WILLIAM McLANE, age 50, being duly
sworn on the Holy Evangelists, doth depose and say:

20

21

EXAMINED BY MR. MAURICE JACQUES,

22

Counsel for the Commission:

23

Q.

How long have you been a pilot in Bathurst?

24

A.

Roughly for the last eight years.

25

Q.

And before that, did you have any experience

26

at sea?

27

A.

I served seven years as an apprentice.

28

Q.

Seven years as an apprentice, here in

29

Bathurst?

30

30



E.W. McLANE,
Inquiry,
EX. - 498

1

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4A. In Bathurst.

5Q. And what did you do as an apprentice?

6A. I ran the pilot boat and served on the
7bridge of the ship with the pilot.

8Q. Say, during the last year of your
9apprenticeship, how many trips did you make on the bridge of
10the boat with the pilot?

11A. 90%

12Q. This is where you learned the trade?

13A. Yes.

14Q. Did you serve on ships, apart from that,
15as member of the crew?

16A. No, well, I sailed just around the shore,
17fisherman-like.

18Q. You have heard the statement given by Mr.
19Doucet?

20A. Yes Sir.

21Q. As regards the description of the work - of
22your work coming in the harbour, and on the range-lights and
23the lanterns, etc...do you agree with what he said?

24A. I believe so, yes.

25Q. Would you have anything further to add in
26that respect?

27A. No, that is, as far as navigation goes, but
28we could solve the problem with improved dredging, and lights,
29it is all it takes in this port, and targets.

30



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TORONTO, ONTARIO

E.W. McLANE,
Inquiry,
EX. - 499

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Q.

I thought that I had heard the word "politics"

A.

I am not interested in politics. The ranges, we call them "targets" but they are ranges. You could use your word ...

Q.

How many trips did you make last year?

A.

I presume I made my share, but I have no record of them; roughly, probably 75, something like that.

11

That's not accurate.

12

Did you handle small tankers too last year?

13

Yes Sir.

14

How many small tankers did you handle?

15

Well, some two or three, but we handle the same tankers several times.

16

Yes, I understand that, but we were advised by your colleague that a large one comes in, and a small tanker is used as a lighter. How many jobs like that did you do last year?

17

I think we had possibly four large tankers, last year.

18

You had four?

19

No, I mean, the company had four, the Irving Company.

20

How many jobs did you do with large tankers?

21

I don't know, roughly, I probably made 25 trips, something like that, on the tankers.

29

30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

E.W. McLANE,
Inquiry,
EX. - 500

1

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3

Q.

25 trips with the small lighter?

A.

Yes. The rest of them was large vessels.

Q.

How many large vessels would you have done?

A.

I don't know; possibly 15 or so.

Q.

15 large vessels?

A.

That's not accurate; I didn't keep any

10 record.

Q.

You don't have a little black book?

A.

No, no little black book.

Q.

How do you check the accuracy of the

14 statement given you by Mr. Robichaud?

A.

Well, I am around the port all the time,

10 and if you are on the job, you know what is going in and what

17 is going out; when you get that statement, you know it is right.

Q.

Now, would in all cases that you did - in

19 all the jobs you did, would you not ask copies signed of the

20 pilotage slip?

A.

Yes Sir.

Q.

You would. Does it ever happen, just

23 because the slip wasn't made up, that somebody else would sign

24 the slip as pilot?

A.

.....No Sir.

Q.

Never?

A.

The only way somebody else would sign the

28 slip is if you got a small vessel, and I had to walk out to

29 another vessel, the other pilot is required to take over, he

30



E.W. McLANE,
Inquiry,
EX. - 501

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gets his slip signed.

Q. Did that happen last year?

A. Yes, I believe I did get the other pilot to take out a boat I got in.

Q. How many times?

A. Once.

Q. So, if I were to take all the slips for last year, I could find out exactly how many trips you did and how many trips Doucet did?

A. Right.

Q. And to the best of your recollection, that would be about 50 to 75?

A. That would be fairly close; it would average out fairly close.

Q. Now, Sir, have you personally noticed political influence in pilotage, here?

A. I am not interested in politics, Sir.

Q. That is not my question?

A. I am sorry. I don't go to the commissioners or to anyone; I just do my work and keep my mouth shut.

Q. I realize that, but to the best of your knowledge, have political pressures been put to bear on either the members of the commission or the pilots?

A. I don't think so, not to my knowledge.

Q. Not to your knowledge?



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E.W. McLANE,
Inquiry,
EX. - 502

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A.

No Sir.

Q.

Just one question I want to ask this witness
my Lord: Have you received all that you were entitled to as
your fair share of pilotage in the years past?

A.

Yes Sir.

Q.

Every cent?

A.

Since the last secretary has been on.

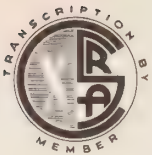
I would like to clarify that statement Mr.
Doucet made about that ship he didn't get paid for.

This Polar Fisher is a fisherman dragger
and not subject to the act, the Bathurst Shipping Act, whatever
you may call it.

There was an order in council past that
any ship of 100 tons and over which is propelled by any kind
of power, coal or oil, shall be charged pilotage fee for 100
tons and over.

This Polar Fisher is 84 tons, and when I
was asked to take that job, I went to spoke to the secretary,
and I said: Should there be a pilotage charge.

He said: If I had my say, there wouldn't
be any pilotage charge for fishing-boats anywhere in Canada.
So, I checked her tonnage. He said: "If they want to hire you
for a charge, you can charge them for a nominal fee," which I
did.



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E.W. McLANE,
Inquiry,
EX. - 503

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This Burchton was towed in she had no
engin, no bridge of any kind. I understand that Bathurst
Marine Limited bought this delerict to make some kind of floatin,
dry-dock.

Q. I have seen that as I passed over the
harbour?

A. There was a telegram came to the station in
Bathurst, and they called the Bathurst Power and Paper, and
the agent called me up and said: There is a barge outside, -
and I went out and met the captain, and I knew the ship was
coming, but I didn't know what kind it was. He said: We got
good water, but I want a pilot; he said: We are not going in
without a pilot.

I took the barge in. There wasn't no motor
on her, so we set her by the tug and put some men aboard her
and set her up. She is still there. They haven't touched her
since, and that doesn't make much difference, what I charged;
I charged a fee of \$ 25.00 for my day's work.

Q. The usual pilotage charges were not charged
for these two ships.

A. No Sir, and the bill was never sent to the
secretary.

Q. But the secretary wasn't aware of the first
ship. Was he aware of the second ship?

A. I don't know, Sir, I can't say because there
has been goings on in Bathurst eversince that came out.



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TORONTO, ONTARIO

E.W. McLANE,
Inquiry,
EX. - 504

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4 You pick-up a dragger-boat - if I was down
5 at the beach in my fishing-boat, and I see a boat there, it is
6 only natural I would go and ask him if he wants a pilot ashore,
7 and if he says: How much, I say \$ 20.00, I take the \$ 20.00
8 because she is not over 100, she doesn't come under the pilotage
9 act at all.

10 And the third thing, as far as using the
11 pilot boat, at the time the captain came up the bay, the pilot
12 boat, she wasn't out, therefore we couldn't use her because she
13 is a wooden boat, and there was too much ice.

14 That should satisfy you gentlemen; that's
15 the way the act reads. You look up the act, it is 100 tons and
16 over.

17
18 AND FURTHER DEPONENT SAITH NOT.

19
20 I, the undersigned, Court Reporter,
21 hereby certify that the above evidence
22 is a true transcript of my shorthand
23 notes.

24
25 G. OSCAR BOISJOLY,
26 Court Reporter.
27
28
29
30



1
2
3 ROYAL COMMISSION OF INQUIRY ON MARITIME PILOTAGE.
4

5 PRESENT: HONORABLE YVES BERNIER, J.S.C.
6

7 Commissioners:

8 ROBERT KNOWLTON SMITH, Esq.

9 HAROLD ALEXANDER RENWICK, Esq.

10 MR. MAURICE JACQUES, Attorney.
11

12 ON BOARD S.S. C.D. HOWE, Bathurst,

13 4:30 P.M.
14

15
16 On the twenty-first day of May, the year
17 nineteen hundred and sixty three:
18

19 ALLIE J. DOUCET, age 54, being duly sworn
20 on the Holy Evangelists, doth depose and say:
21

22 A. I wish to add for the Commission that the
23 said boat I took out, his ship, that was at the dock...

24 MR. MAURICE JACQUES,

25 Counsel for the Commission:

26 Q. We will check that.

27 A. Well, I took the ship out, he asked me to
28 take his ship out so he could go and pilot another one.
29
30



ANGUS, STONEHOUSE & CO. LTD.
TORONTO, ONTARIO

A.J. DOUCET,
Inquiry,
EX. - 506

Q. Is there anything else you wish to add?

A. That's all, Sir.

AND FURTHER DEPONENT SAITH NOT.

THE PRESIDENT:

We thank you very much, gentlemen, for all
the information you gave us, and we shall now adjourn to Caraga
at nine o'clock tomorrow morning.

BINDING SECT

MAY 2 1972

